



## **A Conversation with Gary Rhoades, General Secretary of the National AAUP**

**(Summarized and edited by Dean Saitta, Colorado  
Conference Co-President)**

On 14 November 2009—a gray and snowy Saturday—a small group of Colorado Conference AAUP members attending the annual meeting in Boulder met with our special guest Gary Rhoades, General Secretary of the National AAUP (for a biography go to <http://www.aaup.org/AAUP/about/gensec/>). We covered a wide variety of issues. Here's a summary report of that

conversation.

Gary's primary mission as AAUP General Secretary is to “change the discourse” around higher education in the United States. He noted that Colorado is a bit of a “crazed state” as concerns the condition of academic freedom and shared governance on our campuses. The factors contributing to such craziness are well known. They include David Horowitz's lobbying of the state legislature to remedy alleged “liberal bias” in the classroom teaching of Colorado professors, and efforts by the American Council of Trustees and Alumni (ACTA) to promote the corporate restructuring of Colorado higher education and the teaching of Western Civilization's history and values (Colorado is widely known to be an “ACTA-intensive” state). They include well-publicized, and not-so-well publicized, efforts by administrators to re-write faculty handbooks and circumvent established due process at places like Metro State and Mesa State. Most dramatically and significantly, they include CU-Boulder's dismissal of Professor Ward Churchill for alleged research misconduct. Although a Denver District Court jury decided that CU administrators and regents had violated Churchill's constitutional rights by firing him for political speech, the presiding judge vacated that decision and granted the Colorado regents “quasi-judicial immunity” to terminate tenured faculty for any reason and without the faculty member having recourse.

At the same time, Colorado's craziness means that the Colorado Conference of the AAUP is well-positioned to advance higher education policy conversations in the state and nation. Gary applauded Conference initiatives like our “Friend of Higher Education Award” given annually to a deserving legislator. He praised the innovativeness of the CU-Boulder chapter's Instructor Tenure Project (<http://www.aaupcu.org/whatwedo/itp.html>) and complimented recent efforts by colleagues at CSU-Pueblo to persuade their administration to be more transparent and accountable about the financial state of that institution. He emphasized the National AAUP's willingness to help with these campus efforts, given that the academic work force is an “ecosystem”: what happens on one campus stands to affect us all. He noted that other allies can be found at the Association of Governing Boards (AGB), especially as concerns the training of university and college trustees who are often woefully uninformed about the meaning of academic freedom and shared governance. The

AGB is not kindly-disposed towards ACTA, whom it considers to be an “irresponsible upstart.”

**Key Challenges to Faculty:** Gary identified three critical needs in the higher education policy discourse:

**1. The need to question assumptions that drive the current discourse,** especially (a) that colleges and universities are in “financial crisis” and (b) that institutions have no choice but to impose furloughs, salary cuts, and program eliminations in order to deal with the crisis. Alternatively, it can be argued that public institutions are not in the condition that most academic administrators suggest [for example, see <http://www.insidehighered.com/news/2009/12/23/audit>]. They are certainly not broke. While the percentage of state support for public higher education has been declining in Colorado and elsewhere, other revenues are going up as a result of intensified fundraising, expansion of grants and contracts, the branding of logos, investments in continuing education programs, tuition increases, and other sources. Colleges and universities have been corporatizing in this way for last 25 years although such corporatization is not, in principle, a good thing. Thus, if there’s a crisis at all it’s the cost to the public of cutting faculty and programs on spurious grounds. Faculty generate educational value; they are the last resource on college campuses that should be laid off or furloughed.

**2. The need to examine internal priorities regarding how institutions spend the money that they have.** Rhoades noted that administrative salaries have increased 101% over last 25 years while faculty salaries have increased only 17% over that same time. This pattern holds for both public and private institutions. Money has been going into facilities rather than faculties. If budget cuts are to be made the pain should not be shared equally among administrators and faculty. We should expect steeper cuts, lay-offs, and furloughs for administrators. There is opportunity here to make common cause with students regarding what happens when faculty—the key element that adds educational value to the academic enterprise—are threatened by budget cuts.

**3. The need to “exercise voice” and reclaim the moral high ground regarding (a) academic freedom, (b) tenure, and (c) shared governance.** Academic freedom is central to educational quality. It’s in the clear public interest to support it. Quality suffers where freedom is eroded, and freedom is very much at risk in states like Colorado. We must counter the common “slams” that faculty are only concerned about parking, that we work 10 hours per week, and that tenure guarantees a lifetime of employment. In addition to making common cause with students we must make common cause with contingent faculty who lack tenure’s protection. We especially need, in the wake of the Supreme Court’s 2006 *Garcetti v. Ceballos* decision finding that public employees’ statements about administrative policy are not shielded from disciplinary action by employers, to take steps to ensure that faculty speech around “institutional governance” is protected. Faculty have a right to speak out about institutional matters, including programmatic directions, without fear of retaliation. These protections need to be written into faculty handbooks and given real teeth. According to Rhoades, “unless we exercise voice we’re screwed.” [For the

AAUP's response to *Garcetti v. Ceballos* go to <http://www.aaup.org/AAUP/protectvoice/Overview.htm>].

In relation to Challenge #3 the Ward Churchill case took up a significant amount of discussion time. The Churchill case deeply divided the staff and elected leadership of the National AAUP. Gary freely opined that National “bungled” the case. Indeed, he likened it to the AAUP running for cover during the McCarthy inquisition of the 1950s. By now the National AAUP’s admission about mishandling of the Churchill case is not news. In the December 1 issue of the *Chronicle of Higher Education* (and in his forthcoming book *No University is an Island: Saving Academic Freedom*) National AAUP president Cary Nelson notes that

“The substantive concern that the whole investigation had been politically motivated was trumped by the AAUP’s proceduralism [i.e., its traditional unwillingness to second-guess faculty committees charged with giving faculty members their due process rights]. We are now looking at a series of such political cases to re-evaluate our practices and give general advice to colleges and universities about how to handle public critiques of politically-controversial faculty members.”

In conjunction with this discussion Conference attendees approved a motion to prepare our own report about the Churchill case instead of organizing a formal state conference investigation into procedural irregularities as originally decided at the summer 2009 Conference Executive Committee meeting. This report will be broadened to include the politically-motivated firings at CU-Boulder of Phil Mitchell and Adrienne Anderson. It will cover the facts of each case and their “chilling effects” on academic freedom and shared governance. Gary eagerly agreed to our request that he write a closing commentary for the report that would put these cases into national perspective. Upon completion the report will be distributed to appropriate professional organizations and Higher Education publications.

At several points in the conversation Gary emphasized that the corporate model of higher education is an unsustainable one, especially for public institutions. We need an educated citizenry. States need to increase their appropriations for higher education, and trustees need to be made aware of faculty rights and obligations as concerns academic freedom and shared governance. The conversation ended with some brainstorming about how the National AAUP can help state conferences and campus chapters in their outreach efforts. National now has the ability to target—to “broadside”—specific email messages about state and chapter concerns to all members of an institution’s faculty. As always, National is ready to provide specific expertise about how to handle a particular faculty grievance. There was unanimous agreement that the AAUP needs to do much more—up to and including mounting a vigorous national campaign using print material and DVDs—to promote a better understanding of academic freedom by trustees, administrators, faculty, the general public, and other higher education stakeholders.