

DU-AAUP Chapter Meeting Agenda

(May 18, 2011)

The Purpose of this meeting is to debrief some recent developments (Library, Art Gilbert suspension) and collect thoughts on various issues, some of which might require taking formal action with or through the Faculty Senate.

I. Library: there will be additional consultation of some sort...

II. Arthur Gilbert Suspension

A. Update

B. Human Resources: do they (and academic administrators?) “get it?”: *The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material* (from AAUP suggested policy and procedures for handling sexual harassment complaints).

C. Due Process, “Process that is due”, and the concept of “Administrative Leave”—do we lobby for a policy detailing when this action is appropriate and what the process looks like?

III. Role of Full-time Academic Administrators in their Home Departments

A. Recent (and ongoing) issues around hiring and promotion/tenure.

B. What to do? Policy statement co-authored with Faculty Senate plus sentence in revised APT Guidelines??

IV. Faculty Review Committee (FRC) Issues

A. Timely processing of appeals: Administration and Faculty obligations (an AAUP memo was sent to HR on 12/10/2010 expressing a similar concern regarding the processing of gender discrimination complaints).

B. FRC’s right/freedom to *...recommend remedies either for procedural inadequacies or for inequities or injustices* (Faculty Senate Constitution, page 9). Is this right being respected?

C. What to do? Joint AAUP/Senate reminder to FRC and Administration?

V. Contingent Faculty Employment Security (see accompanying memo from Saitta to McCubbrey et al.)

From: Dean Saitta <Dean.Saitta@du.edu>

Date: Sun, 15 May 2011 15:02:56 -0600

To: Don McCubbrey <dmccubbr@du.edu>, Arthur Jones <Arthur.Jones@du.edu>, Leutenegger <leut@cs.du.edu>

Cc: Alba Newmann Holmes <Alba.Newmann@du.edu>, Richard Leaman <rleaman@du.edu>, Sylvia Hall-Ellis <shellis@du.edu>, Dean Saitta <dsaitta@du.edu>

Subject: Re: non-TT faculty data

Thanks Don, and hi all. Yes, when Cary Nelson visited us last fall he mentioned that one way to better support and protect long-time contingent faculty would be to put them on what he called "Rolling Contracts" after a probationary period (say, 6 or 7 years) was completed. I know we have lots of variation on campus as concerns contract length; e.g., one year, three years, five years. Rationalizing contract length should be one of our goals...ideally for more years rather than fewer. This would benefit the institution as well as the individual, especially since we have contingent faculty in more than a few departments who are not only teaching courses but also directing academic programs (and sometimes more than one program). Then, assuming good performance, the faculty member would automatically be renewed for the length of the specified contract *every year* after the probationary period has been completed.

Such protections would help satisfy Recommendation #14 on the list of recommendations for revising the APT document that the AAUP chapter has submitted to the Senate. The full recommendation says:

14. Insert language assuring security of employment for full-time and part-time non-tenure track faculty who have had their contracts renewed for a period of at least seven years. These faculty sometimes have duties that overlap in significant ways with those of tenured and tenure-track faculty, including administrative duties. Given the contributions of these faculty to their academic unit's mission (as evidenced and recognized by continuous renewal of their contracts), it is in the best interest of our students, the university, and our stakeholder public to protect the academic freedom of these colleagues and their right to speak and write on all matters related to their professional duties without institutional discipline or restraint. Assuring employment security is also a moral obligation, given that contingent faculty who have been with us for many years will have very few, if any, alternative career opportunities if told their services are no longer required. The case for employment security strengthens with every year of full or part-time employment beyond the 7th year. Long-term contingent faculty can be dismissed for only those reasons specified in section 6.2 of the APT document ("cause", discontinuance of an academic unit, a state of demonstrable financial exigency that threatens the survival of the university as a whole). Notice of dismissal must be given a full 12 months in advance. Dismissed contingent faculty are eligible to use the full range of appeals mechanisms that are available to

tenured faculty.

The National AAUP has a report on "Tenure and Teaching Intensive Faculty" that strongly recommends *converting* these faculty to the tenure track. The report is found here: <http://www.aaup.org/AAUP/comm/rep/conversion.htm>

If converting contingent faculty to the tenure track is too radical a move (and in some—perhaps many—instances it would not be desired by the individual), then we should consult the policy statement's **Appendix B: Forms of Stabilization Other Than Conversion** for other examples of what can be done to support and protect our non-tenure track colleagues.

And yes, the advocates of job security for contingent faculty have thought about what institutions can do to block efforts at stabilization, like terminating people at the end of the probationary period so that they don't have to go to Rolling Contracts. Contingent faculty at CU-Boulder (identified in the AAUP statement as one of the institution's that's led the national effort to create job security for contingents) has a bunch of good arguments why it would not be in the best interests of institutions to be jerks about this.

Many thanks,
Dean

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