

Subject: Summary of May 18 Chapter Meeting

Date: Friday, May 20, 2011 6:48:26 AM MT

From: Dean Saitta

To: Anneliese Andrews, Miriam Bornstein, Lynn Clark, Corrada, Roberto, Michael Cortes, Claude d'Estree, George DeMartino, Sandra Dixon, Tracy Ehlers, Ehrenreich, Nancy, Arthur Gilbert, Ilene Grabel, Sylvia Hall-Ellis, Steven Iona, Ginette Ishimatsu, Scott Leutenegger, Mario Lopez, Don McCubbrey, Salvador Mercado, David Montano, Vijaya Narapareddy, Rebecca L. Powell, Rob Prince, Naomi Reshotko, Robert L. Sanford, Oscar Somoza, Paul C. Sutton, Matthew J. Taylor, Paul Viotti, Diane Waldman, Yavuz Yasar, Dean Saitta

Dear All,

Attached is a copy of the agenda for the May 18 meeting and below is a summary of the discussion. The meeting was attended by 9 members plus 1 guest. Unless I hear objections I will excerpt the Arthur Gilbert piece and send it in the name of the chapter to the Provost, the Dean of JKIS, and the Director of HR. The other issues can be worked on in conjunction with the Faculty Senate.

I. Library: We'd like to see the data that went into planning of the Academic Commons. We'd like to know how the following were determined: the student needs/desires that shaped Commons planning; the 20% on-campus book storage figure; the energy impact of book shuttling between the storage facility in Lakewood and campus. We also would like to know whether deans will be the only ones involved in re-examining the "80/20 model" in light of the new data that will be collected according to the Provost's May 3 message to the university community [UPDATE: We're informed that faculty will be involved in re-examining the 80/20 model].

II. Arthur Gilbert suspension: We'd like to see the policy and procedures that were followed in removing Professor Gilbert from his classroom and banning him from campus. At present, DEO policies indicate that anyone accused of harassment "*will be informed of any complain [sic] filed against you and provided with an opportunity to respond to the specific allegations.*" DEO policy also stipulates that "*the burden of proving sexual harassment [as defined in the official DU policy] rests with the accuser.*" We'd like to see the "forced administrative leave" policy. If such a policy doesn't exist, we need to develop one that will guarantee rights of due process for faculty (or, the "process that is due" faculty) so that procedures aren't conjured "on the fly" and capriciously applied. The AAUP chapter will help to develop such a policy if one doesn't exist. In addition to concerns about procedure, we have serious concerns about the academic freedom dimensions of this case and the chilling effect that it could produce in the classroom (if such effects aren't already being experienced in Korb and elsewhere). APT revision should include stronger language protecting academic freedom. Our chapter has already formally recommended this as part of our input into the APT revision process. The AAUP chapter and Senate should pass a resolution reaffirming the importance of these protections.

III. Role of full-time Academic Administrators in the business of their home departments. There have been some recent examples of troubling (for the faculty involved, and for the AAUP chapter membership) administrator interventions in department-level hiring and promotion/tenure processes. This is a gray area of policy even for AAUP. We need to clarify the types and conditions of administrator involvement that are

appropriate in order to protect faculty governance rights in those areas for which rank-and-file faculty have primary responsibility and, frankly, protect administrators from situations where they could be perceived as engaging in activities that would benefit (because of their proximity to, and relationship with, peer administrators) their home unit over others that fall under their supervisory purview.

IV. Faculty Review Committee: We need to see timelier processing of appeals. FRC members have an ethical obligation to conduct their business according to APT rules. Requiring a quarterly report (to the Senate) of FRC activity would help keep the committee on task. We also need to reaffirm the FRC's constitutional right to offer frank opinions and *"recommend remedies for either procedural inadequacies or for inequities or injustices."* University Counsel should offer protection (e.g., via a Memorandum of Law) for the FRC if the committee feels threatened that a finding or recommendation in any particular case will put it at legal risk. Counsel should "have the FRC's back."

V. Contingent Faculty Employment security: We support implementing and rationalizing the practice of offering multi-year contracts to all contingent faculty. We're heartened by the impression that the Provost supports such a practice. However, we remain concerned that even this practice will not ensure the freedom that all faculty should have to speak or write without institutional discipline or restraint, of fear of reprisal, on all matters related to their professional duties and the functioning of the university.

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