

# VIRGINIA CONFERENCE

## AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS

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<http://www.aaup-va.org>

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Virginia Conference of the AAUP Fall Meeting

Room 043 Heth Hall

Radford University, Radford, VA

October 24, 2009

9:30 Executive Board Meeting

11:00 General Meeting

1:00 Speaker: Dr. Joseph DeFilippo

Director, Acad. Affairs and Planning, SCHEV

**"SCHEV and Current Funding for Higher Education in Virginia"**

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### **Radford University Faculty Fight for Shared Governance**

By Kay K. Jordan

The Radford University Chapter of the AAUP is looking forward to hosting the October 24, 2009 meeting of the Virginia Conference. Our university currently is experiencing a complex of academic problems, warranting AAUP attention, which led to an 8 October RU Faculty Senate motion for a vote of no confidence in Provost Wil Stanton. That motion may be removed from the table for debate and potential vote on 22 October. Let us review its background. On April 7, 2009, the Senate established an "Ad Hoc Committee to Investigate Allegations that Administrative Actions with Respect to Academic Affairs have Contravened the RU Internal Governance Document or the Core Values of the Radford University 7-17 Strategic Plan." The Radford University Internal Governance document clearly states: "The Faculty Senate assures representation of faculty

interests and of the faculty view of the common good of the University community, in accordance with recognized principles of *university shared governance* “[emphasis mine]. The Preamble to the RU Faculty Senate Constitution also has a hyperlink to the AAUP website for the “Statement on the Government of Colleges and Universities.”

The committee reported its findings on 1 October, after a summer of hearings and deliberation concerning 19 separate allegations submitted by RU faculty and members of the local community. I wrote the 37 page (double-spaced) AAUP allegation. Its analysis section cites a staggering number of ‘shared governance’ violations while its massive appendices contain most relevant university, senate, Board of Visitor, AAUP, SCHEV, SACS and related e-mail documents. The electronic version takes up 8.4 megabytes.

For the past two and a half years, Radford University faculty members have been engaged in a struggle to sustain their right to shared governance. In spring 2007, the RU administration arbitrarily announced that the College of Arts and Sciences would be dismantled. The mathematics, statistics, chemistry, physics, biology and geology departments were combined with information technology to create a College of Science and Technology—the remaining departments of the CAS were merged into a new College of Humanities and Behavioral Sciences. Then, in the fall of 2007, the RU Board of Visitors mandated both specific credit hour guidelines for, and the revision of, the general education program for implementation in fall 2008. After much struggle, the faculty gained an additional year, until fall 2009, to develop a new core curriculum. Again, in January 2009, the provost announced the arbitrary movement of selected programs from one college to another and the merger of several departments.

Finally, in spring 2009, the provost commanded an Expedited Program Review of selected programs. These programs suddenly found themselves required to meet 150% of SCHEV standards for

both enrolled majors and graduates. His Expedited Program Review precipitated a campus wide crisis which erupted publicly in late March 2009 when the RU administration refused to answer faculty and student questions regarding that Review. Over 1,000 concerned students formed an organization called Students Advocating Liberal Arts to protest potential cuts to their academic programs. The faculty was also energized. The RU AAUP chapter sent a letter to the Radford University Board of Visitors protesting the unreasonable time frame and arbitrary standards involved in this process. Sixty-five senior faculty members also sent a letter. At the April 23, 2009 meeting of the Academic Affairs Committee of the RU Board of Visitors, Provost Wil Stanton presented a “prebuttal” of the charges he anticipated would be submitted to the investigative committee authorized by the Faculty Senate. The Board of Visitors immediately voted that the provost had not violated any rules or policies and that the Expedited Program Review was appropriately conducted.

To the contrary, the senate’s Ad Hoc Investigative Committee subsequently criticized this pattern of decision making for its failure to involve proper consultation with the affected faculty. I am proud of my faculty colleagues and Radford University students for challenging the many arbitrary actions of the provost regarding the faculty’s primacy over curricular decisions. It is especially pleasing that the Ad Hoc Committee has now validated our concerns about shared governance.

## **HARRIS AWARD GIVEN TO SENATOR JOHN EDWARDS**

The Virginia Conference presented the Colonel Michael S. Harris Award to Senator John Edwards during the annual Virginia Higher Education Advocacy Day on January 15, 2009. The Harris Award recognizes exemplary service in support of higher education in Virginia by a public official.



**Senator Edwards receives the Harris Award from Conference President Pat Cummins**

In 2005, the Virginia Conference of the American Association of University Professors approved the establishment of an award to honor the memory of Colonel Michael S. Harris, our friend and colleague. Dr. Harris served the noblest principles of higher education, with irrepressible good will and affection for his colleagues and students, for many years as Professor of French at Virginia Military Institute and as a leader in the Virginia Conference of the AAUP, including service as the president of the Conference.

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Senator Edwards was first elected to the Senate in 1996, previously serving on the Roanoke City Council. In 1995 he was named Roanoker of the year by *Roanoker* magazine. He currently chairs the Higher Education sub-committee of the Education and Health Committee. In previous sessions he has introduced legislation to give Virginia faculty greater flexibility in choosing retirement plans, and to create a tuition benefit for dependent children of faculty. He also has been a strong advocate of community college scholarship programs, indeed legislation he has introduced to create a Community College Scholarship Match Program was heard this morning before the Education and Health Committee. He has supported in-state tuition for qualified undocumented immigrants. He has fought to defend the budgets for education and other core services, and has supported full funding of the base adequacy guidelines. His district includes Virginia Tech, Virginia Western Community College, and Hollins University. Senator Edwards also sponsored the legislation to create the Roanoke Higher Education Center and serves as Chair of its Board of Trustees. Higher education is truly his priority, both locally and statewide.

We deeply appreciate Senator Edwards' willingness to go to bat for matters important for Virginia's faculty and for his support of our higher education system.

## The 95<sup>th</sup> Annual Meeting of the AAUP (June 2009)

Our new General Secretary Gary Rhoades highlighted one of the major issues facing us today, the need for faculty to reassert their leadership of higher education and to counter the corporate model being imposed upon our institutions. Elemental to achieving this goal is our ethical and practical obligation to bridge those divisions among faculty consequent of tenure-track or contingent contracts, the presence or absence of collective bargaining units on campus, and one's affiliation with junior college, four year or university ranked institutions. That 70% of our professional colleagues are now contingent faculty (part-time, full-time, under single or multi-year contracts, etc.) radically diverges from AAUP principles. The latter endorse a pattern of higher educational institutions staffed by tenured and tenure-track faculty. They would be empowered to pursue the highest standards of learning and teaching in the context of real shared governance wherein the faculty actually set institutional standards of learning and related administration procedures.

The massive disconnect between the ideal and a 70% divergent reality means the AAUP not only needs to bring a far higher proportion of tenured and established faculty within its fold but to foster all manner of improvements in the condition of contingent faculty. This ranges from helping the latter to gain greater representation in faculty senates and decision making committees to receiving rights and salaries similar to tenured faculty after 7 years of full-time service to the institution. Equity among colleagues and faculty unity are essential to fostering real faculty led improvements in higher education and its all important goal of providing the finest education for as many students and citizens as possible.

## Virginia Conference at the National Meeting

The 95<sup>th</sup> National Meeting of the AAUP was held in Washington from June 11-14, with the theme of "Redefining Hard Times as Our Time." The conference was well represented by nine members: President Pat Cummins (Virginia Commonwealth University), President-elect and new National Council member Craig Vasey (University of Mary Washington), Past-President Brian Turner (Randolph-Macon College), National Council member Saranna Thornton (Hampden-Sydney College), Ken Bernard (Virginia State University), Dave Kuebrich (George Mason University), Gerry Sherayko (Randolph College), Evie Terrono (Randolph-Macon College), and Ron Thomas (Norfolk State University).

As we have now done for seven years, we visited all members of the Virginia congressional delegation on **Capitol Hill Day**. Our key points were to support President Obama's proposal to end the subsidized bank-based student loan program and move all student loans into the federal direct loan program, and to push for congressional action to overturn the Supreme Court decision *National Labor Relations Board v. Yeshiva* (1980). We believe the Virginia Conference is the only one to visit all of its congressional delegates from a state this large!

Pat, Craig, Ken, and Gerry represented the Conference as delegates to the Assembly of State Conferences on June 12. Brian serves as Secretary of the ASC. Two new initiatives that will be important for Virginia were announced at the meeting. AAUP President Cary Nelson said that establishing a progressive dues structure will facilitate record-keeping, and improve payment of conference dues by national to the state conferences. General Secretary Gary Rhoades called for creating a task force to review the implementation of electronic voting for state conference elections. Allowing state conferences to conduct elections electronically will dramatically

reduce the financial and time costs of running these elections.

Major actions taken at the National Meeting included censure of Cedarville University (OH), Nicholls State University (LA), North Idaho College, and Stillman College (AL) and removal of censure of the University of New Haven and to delegate Committee A to remove censure of Tulane University once final language on the stated basis for censure removal has been approved. No action was taken at the meeting regarding the on-going censure of Virginia State University.

## **THE AAUP PUSHES FOR CONGRESSIONAL ACTION**

Eight Virginians joined scores of faculty from across the country in the halls of Congress for the annual Capitol Hill Day on June 11, 2009. With a new administration in place, we were able to advocate for new initiatives to advance the status of faculty and the accessibility of higher education for our students.

### **Overturn *Yeshiva***

None of the staffers we spoke with had ever heard of the 1980 Supreme Court decision *National Labor Relations Board v. Yeshiva University*, indeed many of the staffers were probably not yet born when that decision was announced! In this decision, written by Justice Lewis Powell of Richmond, the Court overturned a favorable recommendation by the NLRB regarding the right of Yeshiva faculty to unionize, arguing that faculty are “managerial employees excluded from coverage” under the National Labor Relations Act. This effectively makes it impossible to unionize a private college faculty, although unions pre-existing the 1980 ruling still operate. We hope to introduce legislation that would overturn the Court’s decision, as was done earlier this year when Congress passed and President Obama signed the Lilly Ledbetter Fair Pay Act to overturn the Court’s *Ledbetter v. Goodyear Tire & Rubber Co.* (2007). AAUP

advocacy identified several non-Virginia members of Congress who expressed interest in introducing such legislation. We were the first to inform our Virginia members about this issue and we asked them to support legislation once it is introduced.

Advocating on this issue was exhilarating! AAUP President Cary Nelson said at the Capitol Hill Day reception that “perhaps we will remember today as the first step in overturning *Yeshiva!*”

### **Support the Direct Loan initiative**

Congress has before it the Student Aid and Fiscal Responsibility Act (HR3221), introduced on July 15, 2009. The Obama administration supports this legislation, which would among other things end the Federal Family Education Loan Program (FFELP) and move student loans entirely to the William D. Ford Federal Direct Loan Program, and increases Pell Grants to a maximum of \$6,900 by 2019 and connect increases to cost-of-living adjustments. The AAUP strongly supports this measure. The bipartisan Congressional Budget Office estimates that conversion to Direct Loans would save the federal government \$94 billion over the next decade. While most analysts believe that students’ debt burdens will not be much affected by this, the savings could be used to support the President’s proposals to increase Pell Grants.

We did receive some resistance on this issue from our representatives. Several offices reminded us that Sallie Mae, the biggest of the lenders subsidized by FFELP, employs some 500 people at its Northern Virginia headquarters. We argue that making government expenditure more efficient is a more important goal than subsidizing bank lending to students.