

# AAUP

# Voice

December 2006/January 2007

*"Academic freedom for a free society"*

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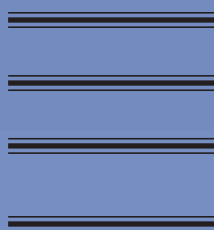
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## A Warm Welcome to Dr. Patrick Harker

Congratulations to Dr. Patrick Harker on his election as the 26th president of the University of Delaware. We welcome Dr. Harker and his family to their new home and to the University of Delaware community.

In announcing Dr. Harker's election by the Executive Committee of the Board of Trustees, Chairman Howard Cosgrove recognized the exceptional role played by President David Roselle in transforming the University of Delaware. With President Roselle's stewardship, the University has become recognized nationally as an excellent undergraduate institution while, at the same time, building a reputation as a renowned research institution with a number of top graduate programs. Mr. Cosgrove then said that, "We believe Dr. Harker is the best person to carry forward and expand on this legacy of achievement. He is a man of vision, enthusiasm and commitment, and we very much look forward to his arrival on campus next summer." Given his many accomplishments as a teacher, scholar, and administrator at the University of Pennsylvania's Wharton School for more than three decades, Dr. Harker's has proven capacities for innovation and strong commitments to research and to undergraduate and graduate education.

In accepting the presidency, Dr. Harker spoke of the University of Delaware's "deep commitment to excellence" as a solid foundation for the future. Dr. Harker said that a "new agenda" for the university would be developed through discussions with members of the university community. He said, "I actually look forward to meeting the people at the University of Delaware as we start to talk about what the next phase at the University will be as we begin to develop the next agenda at UD."



## The UD Presidential Search Process: A Missed Opportunity

As we welcome Dr. Harker and look forward to his leadership, we must also express our disappointment in the search process. When a search for a new president was announced last spring, the AAUP strongly encouraged the leaders of the search committee to have an open search that would create ample opportunities for stakeholders in the University of Delaware community to meet with candidates. In particular, we sought a forum for the AAUP leadership to discuss collective bargaining with candidates in order to inform them of how our union functions, its role in university governance, and to assess their views on faculty unionism generally and at the University of Delaware in particular.

Unfortunately, the interview process failed to give AAUP leadership a meaningful opportunity to meet with the candidates. The AAUP Executive Committee got a cursory invitation to a tightly scheduled meeting with Dr. Harker. With less than a week's notification and lack of flexibility in scheduling, most members of the AAUP Executive Committee could not meet with Dr. Harker. As a result, the AAUP Executive Committee was unable to provide collective advice to the search committee. In addition to failing to properly schedule a meeting with the AAUP leadership, other University of Delaware stakeholders, both on and off campus, have expressed concerns about the closed nature of the search and the decision making process.

Instead of providing adequate forums for the AAUP and other stakeholders to participate in the presidential search in a way that could have enhanced our community's solidarity and realized the University's collegial and democratic values, the process has left many people on campus and in the wider community feeling alienated. The presidential search was a missed opportunity for displaying the best qualities of the University of Delaware and for building support for its future.

In the face of this unfortunate circumstance, Dr. Harker's clear statements of building an agenda for the University's future through dialogue and discussion are especially welcome. The AAUP looks forward to participating fully in these discussions. The AAUP has been representing full-time faculty in collective bargaining for almost thirty-five years. Through contract negotiations, the Collective Bargaining Agreement, maintaining our agreements with the University, and through our deliberations and policy directions, the AAUP plays a crucial role in realizing our University's goals and in governing our institutional relations. Our pattern of collective bargaining contributes to the University's stature, its climate of academic freedom, innovation and progress. Based on the excellent relations that we have established under President Roselle's leadership, we look forward to working with Dr. Harker in building our University's future.

## Know Your Contract: Student Faculty Ratio

A crucial issue in higher education is the erosion of the full-time faculty. Increasingly across the nation, more and more positions are part-time. While there was an increase of about 15% in full-time faculty positions between 1993 and 2003, part-time

faculty positions grew by 43.7%. The abysmal compensation, working conditions and lack of employment security for this sector of the faculty not only degrades them, but also weakens the integrity of the faculty as a whole. The growing part-time/full-time divide creates status differences and animosity within the faculty. It undermines the capacity of the faculty to bargain for compensation and working conditions, and it weakens the autonomy of the faculty so central to academic freedom.

At the University of Delaware, longstanding provisions in the Collective Bargaining Agreement (CBA) have minimized the numbers of part-time faculty and the roles they perform. Article XIII begins with the statement that the AAUP and the University agree "that the use of part-time faculty influences the workload of bargaining unit members and the quality of education offered by the University." Article XIII provides guidelines for the use of part-time appointments which include replacing a full-time faculty member on leave, to provide enrichment, diversity or balance for departmental curricula, and for short-term bulges in student demand beyond that which can be met by full-time faculty.

In addition to Article XIII, Article XI which deals with workload issues has an important provision for maintaining a full-time faculty at the University of Delaware. Article 11.8 states that "the planned student-bargaining unit faculty ratio will not exceed 17.9 full-time graduate and undergraduate students per member of the bargaining unit in the University as a whole. It is fully agreed that these ratios may vary from unit to unit within the University, and among faculty members." The article does not require that the ratio apply equally to all departments or programs. This article defines a full-time graduate student as one carrying nine or more course credits

## AAUP Voice

Gerry Turkel, Editor

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The Voice is published monthly, September through June of each academic year.

The Executive Council acts as editorial board. During contract negotiations or when otherwise warranted, Bargaining Team members also participate on the board.

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and a full-time undergraduate as taking twelve or more course credits per semester. Since the bargaining unit is composed of full-time faculty, this provision requires that a specific ratio of full-time students to full-time faculty be maintained across the University.

Article 11.8 plays a very strong role in maintaining full-time faculty positions at the University. It is enforced by an annual report filed by the administration with the Contract Maintenance Officer which is then reviewed by the AAUP Executive Council.

The Student/Faculty Ratio for 2006-2007 is 15.2. The ratio is based on 1,116 full-time faculty and a total of 16,965 full-time students, 14,992 undergraduates and 1,973 graduate students. In 2005-2006, there were 1,077 full-time faculty. The full-time faculty increased by 39 members between 2005-2006 and 2006-2007. There are 5 additional full-time graduate students this academic year compared to last year. The full-time student/full-time faculty ratio has never exceeded 17.9. Indeed, in most years it has been in the 15 to 16 range.

Article 11.8 is good for the faculty and is good for the educational programs at the University. It is one of the provisions of our CBA which is not found on many other campuses. Academic life across the country would be much better if other institutions emulated this feature of our CBA.

## “Academic Bill of Rights”: A Resounding “NO!” in Pennsylvania

Since 2003, an active and widespread movement across the United States has been seeking to get both state legislatures and the United States Congress to exercise greater control over academic life, including the hiring of faculty and over the content of academic curricula at institutions of higher education. Based on claims that courses, especially in the social sciences and humanities, are dominated by a political left wing ideology and discrimination against both conservative applicants for academic positions and conservative students, proponents have distorted AAUP definitions and policy statements on academic freedom in the effort to legislate “ideological balance” and enforce it through governmental action.

As reported in prior issues of the AAUP VOICE, Pennsylvania has been a key battleground over “academic bill of rights” legislation. In 2005, the state assembly passed a resolution (PA HR 177) establishing a House Select Committee to “examine the academic atmosphere”

The House Select a House Select Committee to “examine the academic atmosphere” in state institutions of higher education. The committee held several hearings across the state and took testimony related to issues of academic freedom, charges of ideological bias, and political discrimination in hiring. The central focus was on political discrimination against students. AAUP leaders testified at the hearings. Both Professor Joan Wallach Scott, Harold Linder Professor of Social Sciences at the Institute for Advanced Study at Princeton University and former chair of the AAUP’s Committee on Academic Freedom and Tenure and Professor Robert Moore, Professor of Sociology at St. Joseph’s University and then president-elect of the Pennsylvania Division of the AAUP testified at the first hearing held in Harrisburg. Professor Robert O’Neil, Professor of Law at the University of Virginia and Director of the Thomas Jefferson Center for the Protection of Free Expression, testified on behalf of the AAUP at hearings held at Temple University.

Committee, controlled by Republicans, voted unanimously against intervening in academic life in a final report on November 21, 2006. The committee determined not to legislate on the issues it had investigated. On the key question of student academic rights, the committee stated that it could not find evidence to support claims of political discrimination against students. The committee found that colleges and universities have policies in place to deal with issues of discrimination against students. In addition, the committee decided to remove all the pages from its final report that summarized the testimony that had been given at hearings. Many college officials told the committee that much of the testimony was unfair and either false or could not be corroborated. In removing the summary of the testimony, the committee removed a permanent record that could have been exploited by proponents of the “academic bill of rights.”

The “academic bill of rights” movement has been propelled by stories of students being victimized by faculty members aiming to indoctrinate them with left-wing ideology. Upon investigation, these stories have been shown to be false. One example, reported in Inside Education, typifies these stories of “student as victim”:

David Horowitz (major leader of the “academic bill of rights movement”) said that he had heard that a political science professor at Bloomsburg University of Pennsylvania, Diana Zoelle, had given a test in which students were forced to explain why the war in Iraq is wrong, with the implication that their grades would be lower if they did not back that position. Horowitz acknowledged that he had not checked the report, although Zoelle reported that she has been hearing from others that Horowitz has been speaking about the alleged exam.

Reached while en route to her Thanksgiving vacation, Zoelle said that Horowitz was “absolutely incorrect.” She said that Horowitz and his staff had never called to ask her about the exam. . . She said that she has never used a test question about the Iraq war. She said that the closest thing she can think of is a question a few years ago in which she asked students to analyze an essay in which a scholar suggested that the United States has a double standard on human rights. Students needed to summarize and comment on the scholar’s argument. Zoelle said that students had to explain what this scholar was saying - before they either endorsed or criticized it.

While the “Academic Bill or Rights” movement suffered a defeat in Pennsylvania and has been unsuccessful in other states where it has been introduced, we should be not become overly celebratory. It is difficult to predict the cumulative effects on public opinion of sustained attacks on the integrity of professors and academic institutions in the names of “balance,” “academic freedom,” and student rights. The AAUP, both nationally and in local chapters, should be proactive when it comes to issues of academic freedom and student rights. The wider public should be informed by academics about the meaning of academic freedom and how it is supported through higher education practices, as well as its importance for society as a whole.

## Join the AAUP for the New Year!

As 2007 begins, use the dues deduction card accompanying this issue of the AAUP VOICE and join the AAUP if you are not currently a member. In the year to come, the AAUP will need your membership, support, and participation. In the coming year, we will be building relationships with a new University administration, formulating proposals for contract negotiations during the next academic year, and working to make conditions better for faculty across a wide range of issues. Our AAUP chapter has the lowest dues of any comparable collective bargaining chapter. Your dues are free for the first year of membership. The greatest strength that the AAUP has its membership: the more members, the more informed they are, and the more they participate in the AAUP, the greater is our bargaining power in representing faculty interests and values.

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