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(Editor's Note: For unexpected personal reasons, President Cooper was unable to submit her column for this issue of the AAUP NEWS.)

Campaign for the Common Good*

The National AAUP has undertaken its first-ever Capital Campaign. The name the AAUP has given this fund appeal is: *Campaign for the Common Good.*

Active chapters of the AAUP exist at more than five hundred accredited colleges and universities in the United States. These chapters promote principles and programs that vitally affect the quality of professional life in the academy and the general well being of higher education.

The services provided by the national AAUP to the academic community would not be possible without the assistance of the Associations' membership and volunteer faculty leaders—including a cohort of some two hundred members who serve on the Association's twenty-eight standing and eleven ad hoc committees. This grassroots membership, comprising some of the most distinguished academics in American higher education, constitutes a precious endowment of talent and service.

To ensure the AAUP's continued contribution to the academic enterprise and to the common good, the leadership of the Association has approved its first-ever capital campaign. The goal of the campaign is to create a \$10,000,000 endowment for the Association. Gifts to the campaign will be allocated to the newly created **Endowment Fund**. Interest from the **Endowment Fund** will support the operations of the Association and allow the AAUP to

respond to current crises and undertake initiatives beyond its current financial capabilities.

Within the next few weeks, a separate mailing will be sent to you with details on how the URI/AAUP chapter will be coordinating this effort along with information on how contributions may be made.

*Excerpts taken from Campaign announcement. Full text can be found at URI/AAUP WebSite: www.ele.uri.edu/aaup

~ Call for Nominations ~

This spring, at the AAUP General Membership Meeting (Thursday, April 6, 3:30 p.m., UClub), three at-large members will be elected to the 2006-07 Executive Committee. If you are interested in running for one of these positions, please contact the AAUP office at x4-2532.

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Executive Director's Column



by Frank R. Annunziato

To Grieve or Not to Grieve

That is the question a few URI faculty must contemplate after receiving decisions from deans on their tenure and promotion dossiers on or about February 15. While not quite the life and death question that young Hamlet struggled with, the choice to grieve a dean's decision must be made "within fifteen work days (Monday through Friday) exclusive of Saturdays, Sundays, holidays and days when classes are canceled due to emergency conditions, after the faculty member knew or should have known of the occurrence of such grievance" (URI/AAUP collective bargaining agreement, Article XXIV, page 34). Any faculty member dissatisfied with a dean's decision should call or email me (4-2534 or aaupfra@uri.edu) immediately to set up an appointment to discuss the situation.

I hope that faculty members will not wait until they receive an unfavorable dean's decision on promotion or tenure before they contact AAUP. We can and do meet with faculty members before any dossier for promotion or tenure is submitted in order to assist faculty members in their preparation. We also meet regularly with faculty members to discuss annual reviews, regardless if the review might result in a tenure or promotion decision. We are available to provide assistance to faculty members at any time, pre and post tenure. We want to help all our colleagues prepare the best dossier for regular annual reviews, as well as for critical tenure and promotion decisions.

In matters concerning the denial of a promotion dossier, the AAUP recommends that the faculty member should attempt to meet with the dean to discuss the denial. The collective bargaining agreement mandates that the dean's denial of a promotion will not be forwarded to the Provost, unless the faculty member requests the dean to do so (URI/AAUP CBA, Article 16.3.3, page 19). Based on this meeting, the faculty member should have greater insights into how thoroughly the dean considered the dossier and whether mandated procedures have been followed.

If a faculty member chooses to file a grievance, after consultation with the AAUP, we will prepare a written grievance and forward it to the appropriate dean. The contract requires that a meeting be held

with the dean to discuss the grievance. The faculty member will be represented at that meeting by the AAUP Executive Director, usually with a member of the AAUP grievance committee. At that meeting, the reasons for the grievance will be presented to the dean and efforts will be made to resolve the situation to the satisfaction of the faculty member. Upon conclusion of the meeting, the dean must respond in writing within ten working days.

If the faculty member is satisfied with the dean's decision, the grievance has been resolved and we need go no further. However, if the dean's decision is unfavorable, the grievance will be forwarded to the President of the University. Within fifteen days, a meeting will be scheduled with the President, to hear the grievance. Usually, the President designates a hearing officer to conduct the meeting and report back to him. Upon the conclusion of the hearing, the President must issue a written response, including reasons, within fifteen calendar days of the conclusion of the hearing.

Many grievances are resolved at this point. However, a few remain open. The faculty member may still be dissatisfied with the President's response. In that event, the AAUP may appeal the decision to the Commissioner of Higher Education. Another hearing is held, this time in Providence, with a hearing officer designated by the Commissioner. A written decision is due within fifteen days after the conclusion of the hearing.

Assuming the Commissioner's decision is unfavorable, the AAUP must decide whether to take the case to an independent arbitrator for final and binding resolution. The AAUP strives to settle all grievances as quickly as possible. We urge principled compromises because we know that pursuing some cases to arbitration could result in establishing a negative precedent that would harm all URI faculty members for years to come. In addition, not all grievances have violated the contract; an arbitrator can only rule whether the collective bargaining agreement has been breached. There are very few, if any arbitrators, who will want to rule substantively on the academic merit of promotion or

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Abuse of Part-Time Faculty at URI

by Dorothy F. Donnelly, PhD, Vice President

While the details of the following situation describe only one example of the kinds of abuse part-time faculty are subjected to at URI, abuse in a variety of forms is found throughout the University across disciplinary and college lines. To preview. The situation described below occurred in the Fall 2004 semester and involved the part-time faculty member's "home department," the Department of English, the Film Media Program, and the College of Arts & Sciences Dean's office. The person whose experience is referred to (the identity of the individual is being withheld and will be referred to only as Professor A) has been a part-time faculty member in her/his "home department" at URI for more than seventeen years (17) years and has over this period of time taught more than eighty-one (81) courses at all levels of the undergraduate curriculum. Many of these courses were ENG/Film courses offered jointly with the Film Media program but the majority were English department courses ranging across the Department's undergraduate program. Appointed in the URI English Department in 1989, this part-time faculty member is a published novelist and screenwriter and holds an M.F.A. in Cinema from the University of Southern California. A member of the *Writers Guild of America*, Professor A worked in the Hollywood film industry before turning to teaching.

In the Fall 2004 semester, as the part-time faculty member was to later learn, the parents of a student in a film studies course being taught by this faculty member contacted the Administration to complain that the instructor was "out-of-line" in telling their son he was behaving "irresponsibly" in his attitude and behavior toward the course. In addition, the parent complained that the instructor was wrong in encouraging him to drop the course for non-performance.

Shortly after receiving this complaint from the student's parents the contingent faculty member was contacted by the College of Arts & Sciences Dean's office and instructed to attend a meeting with the Dean, an A&S Associate Dean, the Chair of the English Department, and the Director of the Film Media Program. At this meeting the instructor was told of the complaint and asked to give her/his "side of the story." As Professor A sat there surrounded (indeed, circled) by this group of administrators, the instructor gave a full explanation as to why the student was told that he was behaving "irresponsibly" and why the student was advised to drop the course. (I know, you're saying to yourself, "but it must be more than that." Well, it wasn't. The use of the word "irresponsible" to describe the

student's attitude and behavior, on the one hand, and encouraging the student to drop the course on the other, comprised the full extent and the sum of the complaint.) At the close of this meeting, Professor A was told that her/his explanation was acceptable and that the matter was considered satisfactorily resolved.

Some months later, at the time course assignments were being made for the next semester, Professor A was informed by the Chair of the English Department, and also by the Director of the Film Media Program, that she/he would no longer be assigned to teach English courses, nor would Professor A be given any future course assignments in the Film Media Program. To show even more clearly the full extent of the abuse and exploitation this faculty member has been subjected to, let me briefly describe the important contribution Professor A made throughout the process of gaining approval of the newly established (May 2005) URI Film Media Program.

As mentioned earlier, this part-time faculty person is both a published novelist and a filmmaker, and holds the M.F.A. in Cinema from the University of Southern California. Throughout the approval process to establish the Film Media Program at URI, Professor A participated in almost all the activities related to developing a new program, including: attending meetings and events, taking part in the 2005 state-wide film festival co-sponsored by URI, and contributing throughout the development and approval process her/his expertise as a specialist in cinema. Further, and of equal significance, Professor A's name and cinematic credentials were listed in all the paperwork that needed to be prepared during the approval process as the proposed program moved through the College of Arts & Sciences, the Faculty Senate, and the RI Board of Governors. On those documents Professor A was identified as a faculty member qualified and prepared to continue to support and teach courses in this new program. Finally, after the Film Media Program was approved by the BOG, Professor A was included on the list of faculty names submitted by the Director of the Film Media Program to the Administration for appointment as an Adjunct Assistant Professor of Film Studies. This appointment was, in fact, approved by the Administration and, subsequently, posted by the Director to the Film Media Program's URI Web Site. Soon after the meeting described above had taken place, Professor A's name was removed, by the Director of the program, from the Film studies list of

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Executive Director's Column (cont'd...)

tenure issues. Arbitrators will be more interested in the process rather than imposing their judgment for academic decision-makers. Finally, arbitration is an extremely expensive process. Arbitrators now charge in excess of \$1,000 per day and the AAUP very often asks our retained attorney to represent us. For all these reasons, the collective bargaining agreement mandates that only the AAUP or the Board of Governors may submit a case to arbitration. The AAUP grievance committee will meet to discuss whether a case should be submitted to arbitration; the faculty member may attend this meeting. The AAUP grievance committee will make a recommendation to the AAUP Executive Committee which must vote to submit the case to arbitration.

The Board of Governors and the AAUP strive to agree on an arbitrator, from a list of names provided by the American Arbitration Association. The AAUP will always attempt to select an arbitrator whose history suggests that he/she is fair to grievants and to their unions. If we are not able to agree to an arbitrator with the Board of Governors, the American Arbitration Association will impose one on us. Once the arbitrator is settled, a hearing will be held and a final and binding decision will be rendered within a relatively short time.

Our contract also mandates that in cases involving promotion, and award of tenure, "...the burden of proof shall be on the grievant, which proof shall be by a preponderance of the evidence. The factors to be considered will be those enumerated in the Article entitled Annual Review, Section 15.6.1 insofar as they apply" (CBA 24.4, page 35). This language provides guidance to the arbitrator in rendering a fair decision.

The AAUP has always urged faculty members to discuss their tenure and promotion packages with us long before the dean has decided. Faculty members should set up an appointment with AAUP if there are warning signs of trouble ahead from any annual review.

Faculty members should certainly see the AAUP immediately if there is a negative recommendation for tenure or promotion from a department chair.

While we will be unable to appeal a department chair's decision because he/she is a member of our bargaining unit, we certainly can help to prepare a strategy for an appropriate response to the dean.

Finally, please remember that the AAUP, along with the Provost's office, sponsors a promotion and tenure workshop every year. At this workshop, faculty members who have recently gone through the process successfully share their experiences and provide insights on what they believe was most important in their dossiers. A dean, the Provost, the President, along with AAUP officers and representatives, share their perspectives on the promotion and tenure process. Throughout the years, our colleagues have commented that these sessions have helped them a great deal.

Abuse of Part-Time Faculty (cont'd...)

participating faculty members on the Film Media Program's URI Web Site.

The kind of exploitation and crass mistreatment experienced by this part-time faculty colleague is not only reprehensible and unacceptable, it is, of course, for Professor A, devastating. From another perspective, the arbitrary and capricious actions taken by the administrators involved in this situation reveal a shameful misuse and abuse of administrative authority.

Hopefully, the time for this kind of gross injustice will soon be over. In response to this and other instances of mistreatment of part-time faculty at URI, the URI/AAUP Executive Committee has established the *Committee on Protections for Part-Time Faculty*. It is our goal to be able to offer, in the not too distant future, the support and assistance needed by part-time faculty employees at the University of Rhode Island.

Note: The Film Media Program at URI does not have its own faculty lines. Rather, film studies courses are taught by faculty in 10 different academic departments across the curriculum and by part-time faculty appointments. Course assignments are made by the Director of the Film Media Program in conjunction with the respective Department chair.

Wal-Mart CD Available

Faculty members interested in borrowing a copy of the "Wal-Mart: The High Cost of Low Price" CD for personal use or for classroom presentation should contact Nancy Murphy in the AAUP office at x4-2532 or namurphy@uri.edu

Executive Committee Actions

The following actions were taken by the URI/AAUP Executive Committee between July 1, 2005 and December 31, 2005:

- Appointed Professor Andrée Rathemacher (University Libraries) as the AAUP representative to the *President's Commission on the Status of Women*;
- Donated \$1,000 to the Emerson College Chapter of AAUP to assist in its challenge during its two-year conflict with the administration;
- Donated \$100 to Hospice Care of Rhode Island in the memory of Professor William (Bill) Mensel, English;
- Appointed Professors Deb Ballinger (Kinesiology) and Jeff Jarrett (College of Business) to the University's *On-Line Learning Committee* to represent the interests of the AAUP;
- Appointed Professor Dorothy F. Donnelly, English, as its representative to the joint AAUP/University committee on Student Evaluation of Teaching;
- Formed a committee to address the issue of protection for per-course faculty;
- Agreed to introduce a Constitution/By-Law change to the membership at its fall general meeting (ed. note: this change will be presented to the membership at the spring general meeting for approval);
- Met with the Faculty Senate Executive Committee and approved a joint resolution with regard to the University's travel policy;
- Approved a resolution urging the President of New York University to reconsider the University's decision to terminate collective bargaining with the graduate assistant union;
- Approved a resolution calling for the speedy withdrawal of U.S. troops from Iraq and for resources being spent on the war be redirected to improve the lives of working men, women and their families;
- Approved a motion to present the above resolution to the AAUP membership for its consideration in the form of a secret ballot.

Adjunct Faculty at Suffolk University Win Union Recognition

By a margin of more than 2 to 1, adjunct faculty at Suffolk University elected Suffolk Affiliated Faculty-AAUP as its collective bargaining representative. Nearly two-thirds of the 450 adjunct faculty in the College of Arts and Sciences, the New England School of Art and Design, and the Sawyer School of Management participated in the election, and voted 194 – 89 for collective bargaining representation. The group's representatives will negotiate with the university administration about such issues as pay, benefits, and job security.

Celebrating their victory, chapter president Bob Rosenfeld said, "We are gratified to see that our colleagues recognize the importance of collective action – especially for adjunct faculty. We will take

this democratic vote as a mandate to work energetically and effectively for our colleagues, to improve our pay, benefits and working conditions."

Nationwide, part-time (adjunct) faculty make up an increasingly large percentage of the faculty profession. At Suffolk, as at many institutions, they outnumber tenured and tenure-track faculty, and they teach a growing percentage of courses— especially those taken by undergraduates. Typically, adjunct faculty are paid by the course, with no health care or other benefits, and with little or no compensation for the time needed to prepare for classes, to meet with students, to grade exams, to help develop and oversee the curriculum on the campus, or to keep up with developments in their own fields.

At Emerson College, Suffolk's next-door neighbor, the AAUP adjunct chapter achieved collective bargaining status in 2001 and successfully negotiated a five-year contract with breakthrough gains for the adjunct faculty there. "We're looking forward to similar results through our collective bargaining," Rosenfeld said.

(National AAUP media release 1/25/06.)



MLA Recommendations on Salaries for Part-Time Faculty Members

The Modern Language Association (MLA) Committee on Academic Freedom and Professional Rights and Responsibilities has updated MLA salary recommendations for part-time faculty. The report notes:

Part-time faculty members perform a valuable role in institutions, giving employers flexibility in scheduling and providing a high level of expertise without a substantial long-term commitment from the institution. These faculty members should be compensated not only for the expertise but also for the flexibility and convenience they offer. The Modern Language Association therefore recommends a salary range of \$5,700 to \$8,000 per course session, with fringe benefits and cost-of-living increases, as reasonable minimum compensation for part-time faculty members.

(Spring 2006 MLA Newsletter, p. 27)

In Memoriam

by Louis Kirschenbaum

The URI/AAUP has dedicated a tree to honor the memory of Professor J. Morton Briggs (History) who passed away on June 6, 2005. Mort was a member of the 1971-72 AAUP Executive Committee, which was responsible for bringing collective bargaining to the URI faculty. He later served the faculty in a number of capacities including President of our Union and Chair of the History Department.

The tree, a dwarf Linden, stands on the west side of Washburn Hall, just outside of Mort's original office. A dedication of the tree and plaque in Mort's memory was held on December 7, 2005 and was attended by about 30 colleagues, friends and family members. Among the speakers were Louie Kirschenbaum (Chemistry), Mike Honhart (History) and Mort's wife, Barbara. In a note received after the dedication, Barbara wrote: "It is gratifying to know his presence was so valued and that his work was so important... We are proud that Mort mattered so much in the work that had to be done at the University. We're proud that he was an AAUP member and a founding member at that. Oh those were the days." They certainly were.

~Faculty Services~

Listings for house sales and rentals will no longer appear in the Chapter newsletter but will continue to be available on the URI/AAUP website: www.ele.uri.edu/aaup



Letter to the Editor

Editor, AAUP News:

Years ago, after a break-in of candy machines in Chafee, I heard the vending company man ask a janitor "if he thought the campus police would find the perpetrator." The reply was that "they couldn't find a turd in a telephone booth." That image of inept Keystone Kops has now been dispelled by Frank Annunziato's chilling account of a faculty member's encounter with campus police traffic enforcement. They sure know how to bust a dangerous traffic violator. They are in the university but not of it.

Carl Gersuny
Professor Emeritus
November 29, 2005

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President's Column



by Betsy Cooper