



THE TENNESSEE CONFERENCE *Academic Freedom for a Free Society in Tennessee*

Newsletter of the Tennessee State Conference of the AAUP Ed. J.A. McQuail TTU

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Shared Governance and the New State Governance Structure — AAUP Summer Institute Report

Over the summer I attended the AAUP Summer Institute. Since I am MTSU's AAUP chapter president and incoming faculty senate president, I decided this was a good time to sharpen my understanding of the faculty's role in academic governance. Attending the institute was a wonderful experience, and I'm already scheming to go next summer. I went to several workshops on shared governance that included specific discussions of the relationship between faculty and university governing boards. I want to focus on that material here in this article because it is particularly relevant to schools with newly-created governing boards – the six former TBR schools, known now as "LGI's" or "Locally Governed Institutions." The creation of these local boards have offered us an opportunity to re-think and re-engage this aspect of university governance.

The AAUP's 1966 "Statement on Government of Colleges and Universities" sets out guidelines on "shared responsibility and cooperative action" on campuses." In other words, it articulates standards for shared governance and makes recommendations on how it is practiced. The 1966 Statement was jointly formulated by AAUP, the American Council on Education (ACE), and the Association of Governing Boards of Universities and Colleges (AGB). AGB is the organization that THEC partnered with to organize training of the new governing boards. The LGI's in Tennessee are all members of AGB.

Best practices for academic governance, according to the 1966 Statement, hold that "The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process." The governing board has a role in such matters, to the extent that they have a role in all matters of the institution, but in these areas the board take a cautious approach. The power of governing boards to review such decisions "should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty." Furthermore, if the board does offer reasons to reject faculty recommendations, "the faculty should have the ability to respond to the board's communication."

The 1966 Statement also has some helpful guidance regarding salary increases: "The faculty should actively participate in the determination of policies and procedures governing salary increases." This is something to keep in mind as discussions around compensation, merit pay, and more come up in the coming years. " In particular, merit pay plans should be transparent, faculty should be involved in their development, and they should involve a peer review process.

University presidents have many diverse tasks in planning, organizing, and directing the university. For the most part, the relationship between faculty and the president is unchanged in this new environment of local governing boards, but one element of the president's role can be emphasized. The president should make sure there is effective communication between components of an institution. Or as the 1966 Statement puts it, the president "operat[es] the communications system that links the components of the academic community." What happens when these components disagree with each other? "It is also incumbent on the president to ensure that faculty views, including dissenting views, are presented to the board in those areas and on those issues where responsibilities are shared. Similarly, the faculty should be informed of the views of the board and the administration on like issues."

Boards have very important fiduciary duties and are the "final institutional authority." But the 1966 Statement reminds us that looking outward and planning are also key roles of the governing board. "The governing board has a special obligation to ensure that the history of the college or university shall serve as a prelude and inspiration to the future." The board must often look outward, to help the institution connect to the community, the state, and all of its diverse constituents. The board should be there to protect the institution from threats: "In grave crises it will be expected to serve as a champion."

These workshops reminded me over and over that communication is key. We are lucky in Tennessee that all of the new governing boards have a faculty member on them; that's not the case at every institution nationwide. The 1966 Statement states directly that, "The faculty representative to the governing board should regularly report to the faculty." The faculty trustee can and should play a role in communication between the board and (see p. 2)

NSCC PRESIDENT TO STEP DOWN

Nashville State Community College President Van Allen has turned in his resignation effective Dec. 31. Van Allen's resignation follows a report by COHRE, an outside review board. In the COHRE report, faculty reported experiencing "a climate of fear and oppressiveness" and said that administrators used "hostility, intimidation and retaliation in an attempt to control faculty. One example of such harassment included the fact that NSCC AAUP officers were forbidden from using university e-mail for AAUP matters. The NSCC Faculty Senate and AAUP both played a large role in helping this come about.

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AAUP convention in Washington D.C. June 14-17, 2018

Are you curious about what happens at the annual national AAUP convention? Are you willing to serve as a delegate at the convention? Consider serving as a delegate at the national AAUP convention. You can attend panels, read a paper, and serve your AAUP by being a chapter and/or conference delegate!

The state conference will help with a portion of the expenses, and there are also scholarships from national AAUP for attending AAUP conferences. For instance you may be eligible for the Mary Burgan fund. Contact TN conference president Josie McQuail at jmcquail@tnstate.edu for more info.



Tangeman University Center, Ohio University, Cincinnati University, OH

cont'd from p. 1)

the faculty, but this communication can and should happen in other channels also. "The means of communication among the faculty, administration, and governing board now in use include: (1) circulation of memoranda and reports by board committees, the administration, and faculty committees; (2) joint ad hoc committees; (3) standing liaison committees; (4) membership of faculty members on administrative bodies; and (5) membership of faculty members on governing boards. Whatever the channels of communication, they should be clearly understood and observed."

One of the things that struck me as helpful about all this is that it makes clear that each of the three components of a university has areas where their authority is expansive but also areas where its limited. The 1966 statement states directly, "The board should undertake appropriate self-limitation." Boards do not need to be involved in every decision of the university because they need to be focusing their time, energy, and expertise on areas where they should play a major role, such as building teams of faculty, board members and administrators to do long range planning; interacting with the community in fundraising; and building support for our institutions in the legislature. Since our boards are now local and focused on our institutions exclusively, this really can be a moment of opportunity for us all. — Pippa Holloway, MTSU Faculty Senate President, AAUP activist

TIAA/Tennessee Optional Retirement Plan

Lobbyist Coley McGinnis (TN Conference of the AAUP) has been working on the problem presented by the draconian restrictions in the TIAA/Tennessee Optional Retirement program, which allows pensioners to withdraw only 50% of the amount in their fund; for every dollar after that, pensioners must pay another dollar into a lifetime annuity. The vast majority of Higher Education faculty and administrators have the Optional Retirement plan. As is well known in the insurance industry, annuities tend to have lower returns and higher expenses than many prudent investments available.

State of Tennessee Treasurer Lillard is planning to bring legislation to reform the optional retirement program (ORP), and it will include repealing the 50% requirement so all the funds will be available upon retirement. Lobbying the Board to take this issue up at public universities is advised; also contacting your legislator may help to ensure passage of reform. Several Faculty Senates have passed recommendations to reform this draconian policy, including at U of Memphis and MTSU.

These restrictions are completely unrelated to the older Tennessee Consolidated Retirement System or to 403b and 401k accounts.) Those higher education employees in the TCRS will continue to have the same plan.

Tennessee AAUP Foundation

The Tennessee AAUP Foundation was founded by TN Conference members who wished to help other TN AAUP members who might need "seed" money for legal aid, or help in arranging programs on academic freedom. The Tennessee Foundation is now able to receive tax deductible contributions, having received its tax exempt status, and AAUP members willing to serve on the Board of the Foundation are being sought. Contact Josie McQuail jmcquail@tnstate.edu or Dora Estes dorasts6@gmail.com for more information, to donate, or to volunteer.

TN Conference of the AAUP Meeting Sat. Nov. 11—NSCC

Nashville State Community College is hosting the Fall TN AAUP chapter meeting. In order to ensure we have enough food please let us know if you will attend. The Sat. meeting begins at 9:30 a.m. Location S-208 on the Main Campus of NSCC (White Bridge Rd.) . A business meeting follows a general session.

What issues concern you? We are thinking of something involving the new governing board system for TN public universities; shared governance issues; recruitment for AAUP.

Also, if you have special dietary needs we need to know!

E-mail Yvonne Simerman at
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FREE SPEECH IN TENNESSEE

The University of Memphis Faculty Senate passed a resolution on free speech <<http://umdrive.memphis.edu/g-fs/pub/link/FreeSpeech-Motion.pdf>> The right to free speech in "vigorous debate" and the right to peaceful protest are affirmed by the resolution.



above :The spring 2017 AAUP TN Conference at TTU with special speaker John Wilson and TTU professor Mike Gunter. The topic was free speech.

The Tuition Opportunity Act and the Resolution Passed at the Spring Meeting of the TN Conference of the AAUP

Last spring the Tennessee state legislature considered a bill to provide in state tuition to the "Dreamers," children not born in the U.S. who have nonetheless been residents of Tennessee from infancy or childhood. The bill did not pass the Tennessee legislature, but the Tennessee conference of the AAUP passed the below resolution, drafted by Dr. Pippa Holloway of MTSU, unanimously at the spring 2017 meeting. Several faculty senates have made similar recommendations, including MTSU and U of Memphis. UoM's may be viewed at <http://umdrive.memphis.edu/g-fs/pub/link/DACA-Motion.pdf>

DACA stands for Deferred Action for Childhood Arrivals (DACA) DACA legislation passed in the last U.S. Presidential administration is scheduled to terminate spring 2018.

WHEREAS

Governor Haslam has challenged Tennessee with his "Drive to 55" campaign, aimed at increasing the number of Tennesseans with a college education to 55% of the population by the year 2025. However, college education is out of reach for a significant portion of our high school graduates who are charged out-of-state tuition because they lack immigration documentation. Many of these students are "lawfully present" after being granted deferred action through the federal program Deferred Action for Childhood Arrivals (DACA). Moreover, these are students in which our state has already invested thousands of dollars through the public education system.

Many of them are choosing to go out of state or to private colleges, and Tennessee's state colleges and universities are losing the opportunity to educate some of our brightest and most-promising residents.

RESOLVED

The Tennessee State Conference of the American Association of University Professors supports HB675/SB612, the Tuition Opportunity Act. As college and university professors, we, too, understand the benefits of a college education and seek ways to make such education available to all qualified Tennesseans. We believe that all graduates of Tennessee high schools should have access to the excellent public education that our institutions provide.

JOIN AAUP

Your AAUP membership gives you exclusive access to the expertise of AAUP staff, members, and leaders. Our lineup of guidebooks, toolkits, and webinars put the resources to defend academic freedom, ensure economic security, and advance faculty governance for all faculty at your fingertips.

When you join the AAUP, make sure you sign up to pay dues to your state conference — we do a lot for you! Our legislative Liaison Coley McGinnis has made a difference for us this year by getting concessions with the legislature on retirement (see p. 3). <http://www.aaup.org/membership/join>

Many professional development opportunities are available to AAUP members, and through AAUP you can help keep guard the quality of higher ed in TN and protect faculty

AAUP ANNUAL CONFERENCE June 14-17, 2018 Washington, D. C. area . The new location is nearer public transportation: DoubleTree by Hilton Hotel Crystal City, 300 Army Navy Drive Arlington, Virginia 22202.

Please consider attending the national AAUP convention as a delegate and getting more involved in AAUP. Also, you can help by recruiting your colleagues. In today's climate, it is even more vital for our state's and our nation's higher education faculty to work together to protect the quality of higher education and the rights of higher education faculty.

YOUR TENNESSEE CONFERENCE OFFICERS :

President: **Josie McQuail**, TTU jmcquail@tnstate.edu

Vice President for Four Year Universities: **Julia Gruber**, TTU juliabaker@tnstate.edu

Vice President for Private Universities: vacant

Vice President for Community Colleges: vacant

Secretary: **Yvonne Simerman**, NSCC, [tnaauap@gmail.com](mailto:tnaaup@gmail.com)

Treasurer: **Dora Estes**, NSCC dorasts6@gmail.com

Past President; Legislative Liaison: **Coley McGinnis**, Emeritus, Tennessee State U, coleymac@comcast.net

Southeast Regional AAUP Meeting:

A Southeast Regional AAUP meeting Sat. Oct. 28 in Clayton State University (within a few miles of the Atlanta airport, just outside the beltway) will take place, to which state conference presidents are invited, but all are welcome. National AAUP ASC President Brian Turner will be in attendance. Contact Robert M. (Scotty) Scott, PhD, President, Georgia Conference, AAUP, Augusta University Office: [706-667-4032](tel:706-667-4032);

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PLACE
STAMP
HERE

THE AAUP believes that higher education is a fundamental human right to which freedom of inquiry and expression are integral.