AAUP Rebukes Universities for Their Boards’ Actions

The group censured or sanctioned flagships in Iowa and Missouri and kept Illinois on its censure list

By Peter Schmidt

Leaders of the American Association of University Professors described many of its members as under assault by neoliberal, bottom-line-focused college governing boards as the group voted on Saturday to denounce several institutions for trampling faculty rights.

"The attacks are not going to stop," Howard J. Bunsis, chairman of the AAUP’s Collective Bargaining Congress, warned here at the association’s annual conference. The threat to tenure, shared governance, and academic freedom, he said, "mostly comes from those boards of trustees who come from different worlds than we do," representing business interests rather than academe.

Frustration with boards’ disregard for AAUP guidelines was a common theme in several of the group’s votes to censure or sanction college administrations. Some of the association’s members voiced frustration that its bylaws require it to direct such votes at institutions rather than the boards that oversee them.

For example, in unanimously voting to censure the University of Missouri at Columbia for the firing of a controversial professor without adequate due process, the AAUP noted that she had been dismissed by the University of Missouri system’s Board of Curators, under pressure from state lawmakers. Similarly, in unanimously voting to sanction the University of Iowa for a lack of faculty involvement in its presidential search, the AAUP noted that its rebuke was
"primarily directed against the Iowa Board of Regents," which picked the new president. The board also oversees Iowa State University and the University of Northern Iowa.

Distrust in the University of Illinois Board of Trustees prompted the AAUP to put the brakes on an effort to lift a censure imposed on the University of Illinois at Urbana-Champaign last year over its treatment of Steven G. Salaita. Its decision to pull back came after Harry H. Hilton, president of the AAUP chapter on that campus, warned from home, in a statement relayed by an Illinois colleague, that lifting censure too quickly would remove any incentive for the trustees to adopt new faculty protections proposed by the campus’s University Senate.

In other votes, all unanimous, the AAUP censured the College of Saint Rose, in New York, for violating the academic freedom and tenure rights of 23 professors it laid off last year. The association imposed a sanction — its penalty for violations of basic principles of shared governance — on Union County College, in New Jersey, for curtailing faculty involvement in decisions made there.

And in what it and the colleges involved heralded as welcome developments, the AAUP unanimously voted to lift censures imposed long ago on Grove City College, in Pennsylvania, and Metropolitan Community College, in Missouri, as well as a sanction it had imposed on Lindenwood University, in Missouri.

The association shelved a member’s proposed resolution calling for colleges to divest from their endowments and retirement funds any stake in fossil-fuel industries, and opted instead to establish a committee to draft a more carefully worded statement for consideration at the AAUP’s annual meeting next year.

The AAUP’s leaders ended debate on a controversial, late-in-the-day proposal to vote to endorse Hillary Clinton for president after determining that too many of the group’s
delegates had left the room for it to have a quorum. Several AAUP members had stepped to microphones to warn that taking such a stand could hurt campus and state affiliates’ efforts to win faculty support and work with state lawmakers.

**Threats in Missouri**

The AAUP’s vote to censure of the University of Missouri at Columbia came in response to the firing of Melissa A. Click, an assistant professor of communication, over her highly publicized clashes with student journalists during last fall’s protests on her campus. An AAUP investigation concluded that the board had denied her sufficient due process by terminating her without a faculty hearing, and should have given her at least one year’s salary or notice rather than cutting off her pay immediately after her appeal of her dismissal was rejected.

Ms. Click, who had been videotaped calling for "muscle" to have a journalist removed from the campus quad, has been the subject of threats of violence, and the AAUP’s investigators who handled her case similarly faced death threats and had to check into a local hotel under assumed names, said Henry F. (Hank) Reichman, chairman of the association’s Committee A on Academic Freedom and Tenure. The AAUP statement calling for censure said state lawmakers had unduly interfered in her case, using threats of negative consequences such as budget cuts to get the University of Missouri system’s Board of Curators to vote to fire her.

The Missouri board responded to the censure vote by reiterating its position that it had afforded Ms. Click sufficient due process and that her dismissal was in the best interest of the university and its students.
**Layoffs at Saint Rose**

The AAUP censured the College of Saint Rose based on a finding that the private college had laid off 23 tenured or tenure-track professors without sufficient financial or educational justification. The job cuts were part of an effort to shrink or eliminate 27 academic programs in response to what the college described as long-term enrollment declines.

Kathleen Crowley, a professor of psychology at Saint Rose and president of her campus’s AAUP chapter, choked up on Saturday as she described how several older professors there had offered to retire early to save younger professors’ jobs. Arguing that the college had essentially abandoned shared governance and tenure, she said, "We want to embarrass and shame our administration at every turn."

Carolyn J. Stefanco, the college’s president, has denounced the AAUP’s investigation of her institution as biased. In a statement in response to the censure vote, the college said it "has never adopted AAUP’s policies and has no obligation to follow them now," and it characterized its actions as in the best interest of the college and its students.

**In Iowa, a Faulty Search**

In sanctioning the University of Iowa for violating its shared-governance principles, the AAUP declared that the statewide Iowa Board of Regents had disregarded overwhelming faculty opposition in appointing J. Bruce Harreld, a business consultant and former corporate executive, as that institution’s new president. It argued that the board had engineered its search to favor a figure from the business world who was less qualified than other candidates.
The University of Iowa referred requests for comment on the AAUP’s sanction vote to Thomas Vaughn, president of the University of Iowa Faculty Senate. In a statement issued on Saturday, he said the Senate "is disappointed that the AAUP has chosen to sanction the University of Iowa for the Board of Regents’ conduct of the presidential-search process." He called the sanction against the university "both unfair and wholly unjustified," saying the AAUP investigators’ report "did not contain a single factual finding showing any wrongdoing by anyone at the university."

**Attack on Governance in N.J.**

The AAUP’s vote to sanction Union County College came in response to the group's finding that the college had in recent years used state limits on its faculty union’s bargaining powers as an excuse to mount a much broader attack on shared governance and academic freedom.

The call for sanction, drafted by the AAUP’s Committee on College and University Governance, said conditions for shared governance and academic freedom at Union County College had deteriorated even further since the association published the results of its investigation, in November.

Union County College responded to the vote with a statement in which Victor M. Richel, the chairman of its Board of Trustees, stood by the actions taken by its administration "to transform our college into one that is truly student-centered."

**Censure Retained: U. of Illinois**

Mr. Reichman blamed miscommunication for the proposal to begin the process of lifting the censure imposed on Illinois for withdrawing a tenured-faculty appointment from Mr. Salaita over his inflammatory criticisms of Israel.
Since last year’s censure vote, the university has reached a legal settlement with Mr. Salaita and campus administrators have taken various steps to try to protect academic freedom and the faculty’s role in hiring decisions. Committee A, in proposing to begin the process of taking Illinois off the censure list, had been aware of such developments but not of faculty efforts to get the trustees to adopt additional faculty protections. The association overwhelmingly voted down the proposal after Illinois professors expressed fears that such efforts would be undermined.

Barbara J. Wilson, the interim chancellor of the flagship at Urbana-Champaign, issued a statement that said she was disappointed with the vote because "we believe we have addressed the AAUP’s concerns."

**Punishments Lifted: 3 Older Battles**

Grove City College, which was removed from the AAUP's censure list, had been on it longer than any other institution. It was censured in 1963 for failing to follow due process in firing Larry Gara, a professor of history and an outspoken peace and social-justice activist.

The leadership of the Christian liberal-arts college had refused to work with the AAUP until 2013, when administrators there became more cooperative. Last summer Richard G. Jewell, a former president of the college who had served long after Mr. Gara’s termination, drove to the retired professor’s Ohio home to personally apologize to him for his treatment. In March the college adopted a policy that would prevent any of its instructors from being treated in the same way.

In a statement欢迎ing the AAUP’s vote, Paul J. McNulty, the college’s current president, called being on the censure list for 53 years "not representative of what we
are as a faith-based institution" and said his college has had a "longstanding commitment to fairness and respect for our employees."

The AAUP voted to lift a censure it had imposed on Metropolitan Community College, in Kansas City, Mo., in 1984, over the termination of eight tenured faculty appointments. The college had argued at the time that it needed to eliminate the jobs in response to financial exigency and declining enrollments, but the AAUP had concluded that enrollments had stabilized, that no state of financial exigency existed, and that the college’s real motive had been to reduce the number of full-time faculty members.

The AAUP voted to lift the censure because the college had made amends to the affected faculty members and had adopted new policies intended to protect faculty rights.

The institution removed from the AAUP sanction list, Lindenwood University, was the first college ever placed there. The AAUP had sanctioned the institution in 1994, when it was Lindenwood College, based on a finding that an administration in place at the institution since 1991 had stripped the faculty of much of its power and declared an end to tenure.

The AAUP motion calling for the sanction to be lifted said two subsequent administrations at the college had brought about drastic improvements in shared governance and academic freedom, and the faculty there now reported playing a meaningful role in making decisions.
Censures for Mizzou, Saint Rose
AAUP votes to censure two institutions for alleged violations of academic freedom and calls out two more -- including U of Iowa over presidential search -- for abandoning shared governance.

WASHINGTON -- The American Association of University Professors voted at its annual conference here Saturday to censure the University of Missouri at Columbia for its handling of the Melissa Click case. It also censured the College of Saint Rose for rendering tenure “virtually meaningless” in laying off nearly two dozen faculty members and shuttering academic programs outside of shared governance channels.

Two colleges saw censure lifted, including one that’s been on AAUP's list since 1963. The wronged professor, now in his 90s, lived to hear an official apology. But in bad news for the University of Illinois at Urbana-Champaign, the association voted to keep that institution on its list of censured administrations for alleged violations of academic freedom and tenure. That’s despite work by the university’s interim administration to address some of the issues raised by the notorious nonhiring of Steven Salaita, as well as an AAUP committee’s recommendation that the body vote to grant it conditional removal, pending a campus visit.

AAUP also voted to sanction, or flag, two institutions -- the University of Iowa and Union County College -- for deviating from widely accepted standards of shared governance. That’s a separate charge from violations of academic freedom and tenure, which can earn institutions censure. While faculty members at Union applauded the decision, a faculty representative from Iowa said AAUP had erred in punishing the university for the actions of its governing board.

One additional institution taken off the sanctions list.

Alleged Violations of Academic Freedom and Tenure
Mizzou’s censure was decided in a unanimous vote, but association members in their discussion of the case did not condone Click’s behavior during student protests on campus last fall. Some called her yelling for “muscle” and jostling of a student journalist’s camera -- which Click has said she did in the heat of the moment, to protect student activists nearby -- “problematic.” (The moment was captured on camera, as was a previous incident in which Click cursed at university police who were trying to clear a road of protesters for the university’s homecoming parade.) Even her critics
argued that AAUP's censure motion was not a referendum on Click, but rather on the university’s circumvention of established disciplinary procedures for addressing alleged faculty irresponsibility.

In February, amid financial pressure from state legislators to punish Click, the Board of Curators for the University of Missouri System met behind closed doors and voted to fire her, effective immediately. AAUP’s investigative report of the case says that in summarily firing Click, a former assistant professor of communication studies -- without the opportunity for a hearing before a faculty body -- the regents compromised academic freedom for all on campus.

Nicole Monnier, an associate teaching professor of Russian at Mizzou and outgoing Faculty Senate vice chair, said Click’s case raised “very serious” and potentially “uncomfortable” questions about the First Amendment. But she argued that the case had much longer, more complicated narrative than is commonly understood, dating back to the events in Ferguson, Mo., a year earlier, to a controversial, now-retracted decision to cancel graduate employee insurance subsidies days before the start of the last academic year, to sustained political attacks on academic freedom in the state. In any case, Monnier said, the university board had a mechanism by which to pursue disciplinary action against Click, which it ignored. University leaders could have filed a complaint against her, triggering a process that would have provided for a hearing before a faculty body.

“I’m most definitely asking you to vote for censure of my fair university,” she said. Loni McKown, a journalism instructor at Butler University, said that as a former professional journalist and student newspaper supervisor, she had “very mixed feelings” about the Click case. “To read about and see a communication professor interfering with students’ First Amendment rights for covering very important protests at [Mizzou] was shocking, at the very least,” she said. At the same time, academic freedom and due process can’t be trounced, she added.

“The things that should have happened at Missouri did not happen,” McKown said, endorsing censure.

A university spokesman referred requests for comment about the vote to an earlier statement from Pam Henrickson, board chair, disagreeing with AAUP’s assessment of the case.

“Fact: the board’s decision to consider the case came after existing faculty processes failed to address her misconduct,” reads the statement. “After initiating and reviewing an objective fact investigation, which exonerated Click on some allegations, the board acted in the best interests of the university. We have stated repeatedly that this case is
not setting a precedent for future actions related to faculty discipline. The board respectfully disagrees with the AAUP’s conclusion that academic freedom is threatened.”

Controversial Cuts at Saint Rose
AAUP members present also voted unanimously to censure the College of Saint Rose in Albany, N.Y., for terminating 23 tenure-line faculty jobs and a number of academic programs without faculty participation last year.

“They ran it into the ground in two or three years -- it was breathtakingly fast,” said Kathleen Crowley, a professor of psychology at Saint Rose, referring to the administration’s dismantling of a long-established tradition of joint decision making. Crowley said that some faculty jobs have since been saved, but only because more senior colleagues retired to save them. And while the college said it was cutting jobs to keep firm financial footing, she added, it’s unclear whether that’s true. Financial exigency was never declared and lawyers and other administrators have since been hired -- in part to deal with the fallout of the layoffs, she added. Financial exigency is a state of severe financial crisis that under AAUP standards can justify the elimination of tenured jobs that otherwise would be protected.

Bradley Russell, an instructor of anthropology at Saint Rose and chair of its new Service Employees International Union-affiliated adjunct faculty collective bargaining chapter, asked for censure, saying, “Right now, Saint Rose is a cutting-edge institution, but what we’re on the edge of is the corporatization of higher education.” Interestingly, Saint Rose President Carolyn Stefanco received a local business award for “disruption” after the layoffs. Russell implored those present to make Saint Rose a model of what happens when administrators bulldoze faculty rights.

Saint Rose released a statement Saturday saying that it’s evolving to “meet the changing expectations of our students, to strengthen the college’s finances and to continue to provide a comprehensive, world-class education at a great value.” Referring to a joint policy note on shared governance from the AAUP, the American Council on Education and the Association of Governing Boards of Universities and Colleges, the statement continues: “Change naturally draws criticism, and the AAUP faults Saint Rose for not adhering to policies AAUP last revised nearly 50 years ago. Saint Rose never adopted AAUP’s policies and has no obligation to follow them now.”

AAUP censured Illinois at last year’s annual meeting for the university’s 2014 revocation of a tenured job offer to Salaita in the American Indian studies program over the tone of his anti-Israel tweets. The association’s Committee on Academic Freedom and Tenure recommended conditionally removing the university from its censure list this year, pending a planned site visit to assess the climate for academic freedom there. To
get off the censure list, an institution must somehow redress the situation with the aggrieved faculty member or members -- which AAUP says Illinois did in settling with Salaita last year -- as well as reform policies to prevent a similar situation from happening again and participate in a final site visit to assess climate.

Committee members said that Interim Chancellor Barbara J. Wilson had been eager to work with AAUP to address its grievances, including by requiring that the university system’s Board of Trustees approve appointments prior to their effective date. That’s crucial, as a main AAUP contention in the Salaita case was that his offer was revoked just weeks before the start of classes, after he’d already left his last job; official board rejection of his job offer came even later, well into the semester.

But association members were split over the recommendation to conditionally lift censure and ultimately sided against it. John K. Wilson, an academic freedom expert based in Illinois and co-editor of AAUP’s Academe blog, asked why committee was rushing to remove Illinois from its list before all requirements for removal had been satisfied, and without consulting Salaita himself. Wilson read an email from Salaita confirming that he was unaware of the vote. Other professors argued that there were ongoing reforms by shared governance bodies in Illinois that have yet to be finalized -- namely a policy that would delegate approval of academic hires below the level of dean to the president, not the board itself -- and urged AAUP to let the process play out before lifting censure, even conditionally.

Henry Reichman, professor emeritus of history at California State University at East Bay and chair of the academic freedom committee, said Salaita probably didn’t know about the vote because he -- despite having received $5,000 from AAUP for his legal defense -- still wasn’t a member. That statement elicited calls of “Cheap shot!” from the audience, and the majority of voters sided against Illinois, at least until next year. Barbara Wilson, the interim chancellor, said in an emailed statement that she was “disappointed in the decision. We believe we have addressed the AAUP’s concerns. We’ll need to have further conversations with the organization to understand today’s vote.”

**Removed From Censure List After 50 Years**
Grove City College in Pennsylvania, on the censure list since 1963 -- longer than any other institution -- was successfully removed in an unanimous vote. The initial grievance had to do with the college’s dismissal of Larry Gara, a history professor, for stated cause without any recognizable form of due process. The college said at the time that he’d been a deficient teacher, but didn’t provide evidence or an opportunity for a faculty review of his case. Gara, a pacifist who spent two stints in jail over refusing to register for the draft during World War II and allegedly counseling a student at another
college not to register for the draft in the 1950s, ended up teaching at Wilmington College in Ohio.

Grove City declined to respond to AAUP’s overtures about getting off the list for 50 years until a new provost in 2013 engaged the organization in a conversation. Those talks intensified with the arrival of a new president, Paul McNulty, in 2014; last year, another former president drove to the home of the affected professor -- then 93 -- and personally apologized on behalf of the college. In March, Grove City’s administration agreed to adopt a policy seeking to prevent further such terminations, guaranteeing a written statement of cause and the opportunity for defense in a hearing before a faculty body.

“I never thought they would come around,” Gara told the Associated Press last year. McNulty, Grove City’s new president, responded positively to the news in a statement, saying that being on the censure list for 53 years “was not representative of what we are as a faith-based institution and doesn’t reflect our long-standing commitment to fairness and respect for our employees.”

One more long-censured institution was removed from the list: Metropolitan Community College in Missouri. It was originally censured in 1984, after it terminated eight tenured faculty appointments; despite claiming financial exigency and decreased enrollment, AAUP found that the college’s rolls had actually stabilized and the exigency was not imminent. The association said the college simply sought to thin out its tenured faculty ranks in favor of part-time appointments and increased overloads.

At its meeting, AAUP members said the college had worked with them over the past year to redress these issues and reform related policy, and that a site visit had confirmed progress. A spokesperson for the college did not immediately respond to a request for comment.

Sending a Message About Shared Governance
The association’s list of sanctioned institutions is significantly shorter than its list of censured ones, but it grew by two this year. Beyond this weekend’s vote, overreach by governing bodies is a growing concern for AAUP, and it’s taking steps to study the issue further in the year ahead.

In a vote directed at the Board of Regents for the state of Iowa, AAUP sanctioned the University of Iowa over the recent presidential search that tapped Bruce Harreld. The association’s investigative report on that appointment describes a kind of sham search for a new president congenial to the university’s “transformative leadership” image -- ultimately a businessperson whom faculty members contended was far less qualified than three other semifinalists with experience as college or university administrators.
and the backing of their faculties. A search committee that included seven faculty members was disbanded during the process, according to the report. Harreld’s appointment sparked a vote of no confidence in the governing board by Iowa’s Faculty Senate, and he’s continued to face criticism, including over his public remarks that faculty members without lesson plans “should be shot.”

A spokesperson for the university referred questions to Thomas Vaughn, associate professor of health management and policy and Faculty Senate president, who criticized AAUP’s decision. Vaughn said that while the presidential search was flawed, the university shouldn’t be punished for the Board of Regents’ actions, and that AAUP was aware of that position. (Indeed, members at Saturday’s meeting suggested that the association change its bylaws to allow for sanctions against not only universities but also governing boards.) Moreover, Vaughn said, other sanctioned institutions seem to demonstrate patterns of violating shared governance, or of disbanding shared governance bodies altogether. By contrast, Iowa’s Faculty Senate remains strong, he said.

Union County College in New Jersey also was sanctioned in a unanimous vote. Faculty members there say the institution enjoyed a strong tradition of shared decision making until the arrival of a new president, Margaret McMenamin, in 2010. An AAUP investigative report released in November found that McMenamin refused to negotiate with the AAUP-affiliated collective bargaining chapter on campus over anything other than what is mandated by state law, even though many other institutions in New Jersey include nonmandatory bargaining issues, such as tenure and promotion criteria, picking a president, and developing curriculum, in their contracts. McMenamin was ultimately backed by the state’s Public Employee Relations Commission, and she disbanded most faculty committees, including the once-powerful Faculty Executive Committee.

Professors at Union say that things have only gotten worse since AAUP’s report. Faculty meetings have been abolished and replaced with “College Assembly” meetings at which no votes are taken, for example, and all independent faculty reviews of curricular matters have been eliminated. A handbook for faculty members has reportedly been replaced with a general employee handbook that asserts the college’s right to monitor faculty and staff emails for any reason, as well as the right to make changes to the faculty handbook at any time.

Derek McConnell, an assistant professor of writing at Union and incoming AAUP chapter president there, said he was a reluctant faculty organizer but felt compelled to join AAUP in light of what’s happened on campus. “They’re determine to extinguish us,” he
said, endorsing the sanction as “one way to get our voice and our respect and our democracy back.”

Vic Richel, chairman of Union’s Board of Trustees, affirmed his support for McMenamin Sunday, saying via email, “We have unanimously agreed with [her] vision and plan, and fully support the steps she and her administration have taken to transform Union into one of the nation’s premier community colleges. … McMenamin’s leadership and management of Union County College is truly outstanding.”

Lindenwood University, in Missouri, had been on the sanction list since 1994 for making changes to its shared governance structure that shifted power from a faculty body to the president’s office. AAUP voted to remove it from that list after members reported that faculty participation in governance on campus is now meaningful, dating back to the arrival of a new president three years ago.

Also at its meeting, AAUP members voted to approve a resolution calling for the creation of a committee to address the threat of climate change. “Recognizing that the mission of higher education includes a responsibility to exercise intellectual and moral leadership in service of the public good,” the motion says that the committee should consult with experts to determine how U.S. colleges and universities might best address “the grave threat posed by climate change.” Those recommendations are to be presented at next year’s meeting for a vote.
An academic association has voted to censure the University of Missouri-Columbia for firing an assistant professor after she interfered with journalists during protests.

The Columbia Daily Tribune reports (http://www.columbiatribune.com/news/education/turmoil_at_mu/melissa-click-firing-lands-university-of-missouri-on-association-censure/article_4ff5450c-c3cf-5636-9ecf-374edf8effae.html) the American Association of University Professors voted Saturday to place the university on its censure list. The action was expected since May when the association concluded the university circumvented rules for faculty discipline and likely bowed to political pressure when it fired Melissa Click.

Click's February firing followed a videotaped confrontation of her calling for "some muscle" to remove a student videographer from a protest area.

A university system spokesman said Saturday their response is the same as when the report was released. The curators said then the report disregarded "the seriousness" of Click's "misconduct and reaches inconsistent and unsupported conclusions."
The American Association of University Professors voted Saturday to censure the University of Missouri-Columbia over its treatment of Melissa Click, who was fired after her actions during racial protests last fall.

At its meeting in Washington, AAUP delegates voted that Mizzou had violated standards of academic freedom and tenure in its handling of Click. She was first suspended, then fired by the university’s Board of Curators on a vote of 4-2. She had blocked journalists from a rally following the resignation of system President Tim Wolfe, calling for “muscle” to bar a photographer from a student gathering.

In a statement, the organization said that censure “informs the academic community that the administration of an institution has violated generally recognized principles and standards of academic freedom and tenure.”

In a report released last month, the AAUP had said the university bowed to political pressure in its dismissal of Click. Lawmakers in Jefferson City had threatened to cut the school’s budget and look into its operations in the wake of Click’s actions, which also included a confrontation with police during a homecoming parade in Columbia.

“It is difficult not to conclude,” the report said, “that the board’s unilateral decision to terminate Professor Click’s appointment without affording her the faculty hearing required under university policies was in some measure a response to inappropriate legislative intrusion and pressure.

“Indeed, we find no evidence that the curators ever publicly protested this interference or resisted individual legislators’ attempted exercise of undue influence.”

The university had no response to the vote. Instead a spokesman referred to its statement released when the initial AAUP report was released. Then, the university defended its actions, saying the AAUP “overreaches and takes a result oriented path to its conclusions. It does not dispute the key facts of Dr. Click’s misconduct and admits that this is not a case about her academic freedom. Yet it reaches the incongruous conclusion that academic freedom is endangered at the University of Missouri.”
At the organization’s annual meeting, AAUP delegates also voted to remove from the censure list Metropolitan Community College in the Kansas City area from its censure list and remove Lindenwood University from a list of institutions sanctioned for violating standards of academic government. The annual meeting did not approve a conditional removal of the University of Illinois at Urbana-Champaign from its censure list.

Melissa Click firing lands University of Missouri on association censure list for third time

By Rudi Keller

Sunday, June 19, 2016 at 12:00 am

The American Association of University Professors voted unanimously at its annual meeting Saturday in Washington, D.C., to place the University of Missouri on its censure list for the third time, a move that essentially finds MU guilty of violating academic due process to fire Melissa Click for interfering with reporters covering November protests.

The action has been expected since May 19, when the association issued a scathing investigative report that concluded the Board of Curators circumvented the university’s established rules for faculty discipline and succumbed to political pressure for Click’s removal.

Nicole Monnier, associate teaching professor of Russian at MU, said about 100 voting members of the association attended the session to consider the report. She said she asked the assembly to approve the motion for censure because the curators’ investigation of Click was irregular and could be a precedent for unilateral action against any faculty member in the future.

“For a number of us it carries enormous weight and shame,” Monnier said in an interview after the vote. “It means we have been singled out as a university that does not respect its policies and practices.”

Click could not be reached for comment Saturday.
The vote is the latest twist in the controversy that began with a recording posted on YouTube showing an angry Click demanding that a student videographer leave the Concerned Student 1950 protest campsite.

Click, an assistant professor of communication who had applied for tenure, was fired Feb. 24 by the Board of Curators after it received an investigative report prepared by the Bryan Cave law firm.

In a news release, the association’s MU chapter said it agreed with the conclusions of the May 19 report and the action to place the university on the censure list.

“Faculty have differing views about Dr. Click’s actions, however, many agree that she deserves a fair and in-depth review to clarify the context of her actions and to establish facts,” the release said. “Trial by internet, mass media and a curators’ ‘edited’ report by a private law firm cannot substitute for this University’s established processes for evaluating allegations of faculty misconduct.”

The censure list was created after a 1930 association investigation of MU’s action to suppress a survey on sexual morals and family life circulated on campus by sociology students. MU was placed on the list in 1946 and again in 1973, the latter after withholding pay from several faculty members for canceling classes during protests against the Vietnam War. The university was removed from the list in 1980 after agreeing to align its faculty discipline rules with association academic due process standards.

“I honestly don’t know what the consequences are from being on the list other than that for obviously, being found lacking in some area that the AAUP considers important,” Interim MU Chancellor Hank Foley said in an interview Thursday. “The question then becomes, how do you get off the list?”

On Friday, curators’ Chair Pam Henrickson seemed indifferent to the prospects of a censure vote.

“We’ve been on the censure list before,” Henrickson said. “They do what they do and we do what we do.”

Henrickson and Curator John Phillips voted against firing Click.

The association’s May 19 report concluded the board’s action was not a violation of academic freedom but could threaten that freedom if it became a precedent for future action. “The purpose of this report is not to defend Professor Click’s November 9 actions, for which she has apologized publicly and repeatedly, nor to assert that those actions should have been protected under principles of academic freedom,” the report said.

Click became a lightning rod for controversy as hundreds of thousands of people watched her yell at videographer Mark Schierbecker in a video that also captured her shouting for help to remove photographer Tim Tai from the protesters’ campsite on Carnahan Quadrangle. It was
Nov. 9 and the protesters had just celebrated achieving one of their main goals, the resignation of President Tim Wolfe, and graduate student Jonathan Butler had ended his hunger strike.

Click was charged Jan. 25 in municipal court, and Foley responded by saying at a news conference that her actions would be considered in his determination of her tenure.

Two days later, the curators voted to suspend Click pending an investigation. During Click’s suspension, police body camera footage was made public showing Click yell at officers who were clearing a demonstration during MU’s Homecoming parade in October.

Getting off the censure list will be difficult because the university must show it can handle a similar case in the future without violating regulations. Foley said he would begin by reaching out to association national officials.

“I would rather not be on it, so I would certainly like to talk to people at the national office about what it means, what their feelings are about it,” he said.

A solution could be a self-triggering mechanism that starts the discipline process, Monnier said. Schierbecker, while pushing for criminal prosecution, did not file a complaint with the university and no one on faculty was willing to do so, she said.

“The process was violated because the board overreached ... because it bowed to political pressure to do so,” Monnier said.

**MISSOURIAN**

[AAUP membership puts MU administration on its censure list after Melissa Click dismissal](MISSOURIAN)  
MISSOURIAN STAFF, Jun 18, 2016

The American Association of University Professors voted unanimously Saturday morning to put the MU administration on its censure list for violating standards of academic freedom and tenure.

The vote confirmed a recommendation that "the University of Missouri (Columbia) be placed on the association's list of censured administrations."

The censure list informs potential faculty members that university administrations may not guarantee an environment of academic freedom.
The move follows a March investigation into the firing of Melissa Click, the assistant professor in the MU Department of Communication who blocked student journalists trying to cover the protests on campus in November.

The AAUP decision addressed a violation of the university's 1940 Statement of Principles on Academic Freedom and Tenure by the University of Missouri System Board of Curators.

"No one spoke out against censure," said Nicole Monnier, the outgoing vice chair of the MU Faculty Council on University Policy.

She said she spoke to the group of about 100 AAUP members in the plenary session of the 102nd Annual Meeting on Saturday morning in Washington, D.C.

She said she chronicled the actions against Click, who was captured on film during the protests in November, suspended on Jan. 27 and fired Feb. 24 "outside of regular due process."

Monnier said she asked the membership to vote for censure. Also censured during the AAUP meeting Saturday was the College of Saint Rose in New York, which was investigated for reducing or eliminating 27 academic programs and terminating 23 tenured and tenure-track appointments.

Three AAUP investigators visited MU in March to interview those involved in Click's dismissal. A report they issued in May determined that Click's firing jeopardized academic freedom at MU and opened the door for future legislative interference.

The curators declined to speak with investigators in March, but board chair Pamela Henrickson in an April 27 letter chastised the AAUP and asked for a “full reconsideration and revision” of the report after seeing an early copy.

John Fougere, spokesman for the UM System, said Saturday that the public statement from the curators "is the same as when the AAUP report was released last month."
In that statement, the curators told the AAUP that the decision to fire Click was not a violation of academic freedom, did not weaken the principle of tenure and did not call for censure.

"The Board of Curators continues to stand behind our actions, which were in the best interests of the University, regarding Dr. Melissa Click’s misconduct," the May 19 statement read.

According to an AAUP statement on academic freedom, "the censure list is published for the purpose of informing the membership, the profession at large, and the public that unsatisfactory conditions of academic freedom and tenure have been found to prevail at these institutions. Names are placed on or removed from this censure list by vote of the Association's annual meeting."

"Censure is a shaming mechanism," said Monnier, an associate teaching professor of Russian.

"It does damage to our reputation as an academic institution," she said.

The extent of damage depends upon how much faculty and administration respect the policies and procedures in place to assure academic freedom and due process.

She said removing the university from the censure list involves a three-step process ahead of a vote by the AAUP membership:

- Some level of redress for the people involved;
- Modification of regulations or policies that would prevent future incidents;
- Demonstrating to the AAUP that those two steps have been taken, followed by a formal visit, a request for removal from the list and a vote.

At its annual meeting on Saturday, the AAUP voted to remove from the censure list two institutions that had taken the necessary steps to address the AAUP’s outstanding concerns: Metropolitan Community College in downtown Kansas City and Grove City College in Grove City, Pennsylvania, according to AAUP spokeswoman Laura Markwardt.
Grove City College had been on the censure list since 1963, longer than any other institution, she said.

The membership did not approve a conditional removal of the University of Illinois at Urbana-Champaign from its censure list.

MU was previously censured by the AAUP in 1973 when MU sociology professors resolved to stop teaching to protest the Vietnam War.

The curators suspended Daryl Hobbs, chairman of the Sociology Department, without pay or notice and threatened to fire him. Six other sociologists had their pay docked, and two protesting professors were initially denied tenure.

Two AAUP investigators looked into the matter and found that “the administration and the Board of Curators of the University of Missouri overreacted massively and ominously.”

MU was taken off the censure list in 1980 after the curators adopted new rules that aligned with AAUP standards.

The AAUP is a national professors’ organization that advocates for fair and free working conditions for teachers and researchers. Its members believe that “higher education is a fundamental human right to which freedom of inquiry and expression are integral,” according to its website.
National AAUP censures MU for firing Click without due process

COLUMBIA - The national membership of the American Association of University Professors voted to censure MU after firing Dr. Melissa Click without due process. The AAUP said MU's actions violated the university’s own regulations and the AAUP’s recommended standards.

The MU Chapter of the AAUP said violating the AAUP’s standards means MU will struggle to recruit and retain the best teachers and scholars in the nation and worldwide.

In November 2015, Click confronted a student journalist, and a video of the encounter went viral. Another video was released in February showing Click getting into an argument with Columbia police officers at the MU Homecoming parade in October. The UM System Board of Curators voted to terminate Click 10 days after the second video was released. The censure does not support or condemn Click's actions.

The AAUP said in its investigative report the Board of Curators violated Click's academic due process by denying her a hearing before her fellow faculty.

"The Board of Curators set a dangerous precedent that threatens the security of position and, consequently, the academic freedom of all faculty members at the University of Missouri," the report said.

The report said the Curators acted alone in Click's case and undermined the authority of both faculty and campus administrators.

According to the AAUP, there is reason to suspect that grounds other than Professor Click’s actions were the real cause of her dismissal. The report said members of the Missouri legislature interfered by threatening financial and other consequences and openly demanding Click's firing.
The MU chapter of the AAUP said faculty have different views about Click’s actions but many agree that she deserves a fair and in-depth review to “clarify the context of her actions and to establish facts.”

“Trial by the Internet, mass media and a curator’s edited report by a private law firm cannot substitute for this university’s established processes for evaluating allegations of faculty misconduct,” the MU AAUP chapter said.

The MU AAUP chapter said Click should be reinstated immediately to allow faculty review of her case and withdrawal of the national AAUP censure.

The group said it urges administration to work toward shared governance and the removal of the AAUP censure.

**Middleton claims progress in rebuilding University of Missouri's image since November protests**

By Rudi Keller

Saturday, June 18, 2016 at 12:00 am

The University of Missouri is rebounding from the hit its reputation took from campus protests over racial issues and administrative turmoil that brought international attention in November, interim President Mike Middleton said Friday.

“We have worked tirelessly to rebuild trust and confidence in our university,” Middleton said during the State of the University address to the Board of Curators, a regular feature of the board’s June meetings.

The university had its best year ever in licensing innovations, earning $13.2 million in royalties, he said. It has expanded internal auditing to be more accountable, stepped up lobbying and public relations efforts and made a commitment to a welcoming culture, Middleton said.

“I am proud of the progress we have made during my interim presidency, and honestly throughout our entire history,” he said.
Middleton’s remarks came after the board on Thursday approved a budget that cuts about 20 jobs in system administration, reduces employment on the Columbia campus by more than 150 full-time equivalent jobs and eliminated 85 full-time positions on the St. Louis campus.

The cuts were a response to a sharp enrollment decline in Columbia, at least partially because of the November protests, and legislative budget decreases for the system. In a news conference after the curators adjourned, Middleton said that while most employees will forego raises in the coming year, no consideration was given to reducing salaries for highly paid employees to save jobs.

The university’s payroll database for 2015-16 lists 393 people with salaries of $200,000 or more, a list that includes 80 who are paid $300,000 or more.

“There has been discussion of limiting merit increases for those people and others, but I think that it is important to realize that most of those people are severely underpaid in comparison to folks at that level in peer institutions, and it is important that we keep the talent that we have,” Middleton said.

The curators on Friday approved a $233.5 million request for state aid for building projects after voting 7-2 to seek $30 million for new greenhouses for the Division of Plant Sciences in the College of Agriculture, Food and Natural Resources. Curator Donald Cupps pushed for the addition, arguing the project has been on the master list of capital improvements for too long without action.

“If we are going to maintain our position in plant sciences and improve it, we have got to have the greenhouses,” Cupps said.

The request must be filed with the Department of Higher Education by July 1 to be put in the pipeline for consideration in the legislative session that begins in January. Typically the Coordinating Board for Higher Education submits a list with the highest priority project for each public college and university as well as a list of projects that have secured private funding equal to 50 percent of the projected cost.

The greenhouses will be on the university’s list in addition to $23.5 million to renovate Waters Hall, a building first constructed in 1909 and also used by the college.

Cupps said the greenhouses are important for attracting top plant scientists, maintaining or improving MU’s status in the American Association of Universities and to attract legislative support.

“I think we have to take things to the legislature that are politically doable,” Cupps said.

The total cost of the greenhouse project is estimated at $83.9 million. Cupps asked for an evaluation of the university’s ability to borrow money for the first phase of construction.
Curator Thomas Voss, appointed to the board June 8, and chair Pam Henrickson voted against adding the project. Voss said he was unsure because he had not had a chance to review the proposal before being asked to approve it.

University of Missouri to reduce salaries, make job cuts

COLUMBIA, Mo. (AP) — The University of Missouri System is set to cut several administrative positions and reduce some salaries in an effort to offset a $3.8 million reduction in state funding.

The Columbia Missourian reports that the Board of Curators voted unanimously Thursday to approve the system’s budget for fiscal year 2017. The budget includes a recurring payroll cut of $2 million and a one-time payroll cut of $1 million.

The system plans to implement a hiring freeze for some vacant positions. Raises will not be given to employees based on past performances for fiscal year 2017.

Vice President for Finance Brian Burnett said the system will do its best to serve all four university campuses “with a smaller workforce.”

Burnett said that revenue for the upcoming year is steady and totaled around $3.1 billion.
University of Missouri to cut jobs in system administration to cover funding shortfall

By Rudi Keller

Friday, June 17, 2016 at 2:00 pm

The University of Missouri Board of Curators approved a $2.9 billion budget Thursday for the coming fiscal year that includes cuts equal to 75 percent of funding shortfalls on the Columbia and St. Louis campuses and system administration.

The system administration, cut $3.8 million by lawmakers, will save $2 million by losing the equivalent of almost 20 full-time jobs and reducing other positions in grade, Vice President for Finance Brian Burnett told the board. Another $1 million will be cut from system expenses.

The system employs 370 people, Burnett said after his presentation to the board. Of the jobs being eliminated, he said three currently are occupied; he declined to name the positions because it would identify people to be laid off.

Other actions to save money include no raises and leaving other positions open, Burnett told the curators.

“We’re going to do the best we can to serve the campuses with a smaller workforce,” he said.

The curators met this week in the Reynolds Alumni Center with a full nine-member board for the first time since the Nov. 9 closed session when Tim Wolfe resigned as UM System president and R. Bowen Loftin stepped down as Columbia campus chancellor.

Gov. Jay Nixon on June 8 appointed Jon Sundvold of Columbia, Mary Nelson of St. Louis and Thomas Voss of Eureka as well as MU student Gene Patrick Graham as the student representative.

The events that helped push Wolfe and Loftin out also partially are to blame for the funding shortfalls from legislative budget cuts and declining enrollment in Columbia.

Lawmakers cut the administration but also gave the university a $17.9 million share of new state funding for all public colleges and universities.
The system will use $443,000 of the new state funding to mitigate the cut, and the Columbia campus will gain $9 million.

The University of Missouri-St. Louis also is making cuts because of a 3 percent enrollment decline. Chancellor Thomas George said the campus has a $15.4 million shortfall that will be covered in part by cutting 85 positions; 50 people will be laid off, and the rest are open jobs that will remain unfilled.

On the Columbia campus, 37 employees have been laid off and an unknown number of part-time adjunct and full-time nontenured faculty have not had their contracts renewed, interim Chancellor Hank Foley said as he reviewed well-publicized figures showing enrollment likely to decline by 2,630 students in the fall.

There will be no raises in Columbia or St. Louis in the coming year. The Missouri University of Science and Technology in Rolla set aside money for pay raises of up to 2 percent, and the Kansas City campus budgeted for 1 percent increases.

The enrollment decline likely will result in a smaller MU for many years, forcing additional cuts in the future but also providing an opportunity, Foley said.

A 50 percent increase in enrollment over the course of 15 years led to increased reliance on nontenured full- and part-time faculty, he said. Over the past decade, MU has eliminated 102 full-time tenured or tenure-track positions while adding 315 full-time nontenured faculty.

“We are able to adjust the workforce with a bit more flexibility than had they all been hired in as tenure-track faculty with lifetime contracts,” Foley said.

The enrollment decline will allow the university to examine itself and plan for the future, Foley said.

“This is not the worst thing that could happen to us right now,” Foley said. “It has been a torrid pace of growth.”

The Coalition for Graduate Workers, which is suing the university for recognition as a union for graduate assistants, reacted to the budget vote by accusing the administration of protecting its own pay and perks at the expense of rank-and-file staff and faculty. Loftin is being paid $344,000 annually and receiving a stipend of $10,000 to $35,000 for administrative duties as part of the agreement for him to step down as chancellor.

“It has become a troubling pattern that those that suffer from cuts are inevitably those that are the most vulnerable, particularly non-tenure track faculty, staff, and graduate student employees,” the coalition statement read.

The overall funding shortfall on the Columbia campus is $31.4 million, including $9 million for increased spending on diversity initiatives and support for graduate assistants.
Graduate assistant stipend increases for fiscal year 2017 and 2018 will move MU from the bottom third among public research institutions in the American Association of Universities to the top 10 percent, Foley said.

The university wants to add eight new recruiters to boost enrollment, he said, but is having trouble filling the jobs.

“Why are we waiting to add the recruiters?” Curator Donald Cupps asked. “If you believe we need recruiters, why aren’t we adding them?”

The problem is finding people able to travel and willing to take the pay being offered, Foley said.

MU will face deeper cuts in the future if enrollment does not rebound, he said. The cuts in the budget approved Thursday were shared evenly across the campus. That won’t be the case in the future, Foley said.

“There may be programs we have to look at very seriously and look at whether funding of those programs is as important as other areas,” he said.

**MISSOURIAN**

**UM curators seek $718 million in state funding for FY18**

ELIZABETH LOUTFI, Jun 17, 2016

COLUMBIA — The UM Board of Curators unanimously approved a $203 million request on Friday for state funding of capital improvements for fiscal year 2018.

The curators also considered a $515.6 million request for its operations budget, to be voted on in July.

The capital request covers projects on all four campuses in the UM System, but the projects are concentrated on the MU campus, including a new School of Music, reconstruction of Waters Hall and expansion of the Missouri Orthopaedic Institute.
The request also encompasses $70 million through the Higher Education Capital Fund, also known as the 50/50 Match Program. Four of the UM System’s projects are eligible for the 50/50 Match Program, where the campus can collect half the funds privately and apply for the state legislature to match the remaining half.

This past year, no 50/50 projects were funded, said Vice President for Finance Brian Burnett.

He said prioritizing the needs of each campus is challenging.

“This campus (MU) is quite vast with a lot of infrastructure that needs addressing,” he said. “There’s all kinds of ways to prioritize based on what lens you’re looking with.”

CAPITAL PROJECTS

Waters Hall

*Appropriation request: $23,525,000*

Waters Hall, used primarily by the College of Agriculture, Food and Natural Resources, was constructed in 1909 and has undergone gradual improvements in the past. If the request is approved, a sizeable renovation will help an effort to improve STEM facilities across the UM System campuses.

An upgrade to the facility’s lab classrooms and research space will also help eliminate $14 million in deferred maintenance.

The facility, including a 381-person lecture hall, Waters Auditorium, is used by nearly 5,000 students during the school year.

School of Music

*Appropriation request: $15,940,447*
The School of Music is home to Marching Mizzou and is spread across the MU campus in five different buildings.

MU hopes to construct a new 60,000-square-foot building at the corner of Hitt Street and University Avenue to make room for larger rehearsal spaces, more classrooms, a big recital hall and offices for faculty and staff.

Through the 50/50 Match Program, MU will put $19,059,553 toward renovations, bringing the total funding for the renovation to $35 million with the state's appropriation.

In 2015, the College of Arts and Science received a $10 million gift to renovate the Fine Arts Building and help construct a new School of Music building.

Additional operating costs for the new building are estimated at $300,000 annually, which would be “sought through philanthropy” of MU supporters.

Missouri Orthopaedic Institute

Appropriation request: $3 million

Another 50/50 Match project is expansion of the Missouri Orthopaedic Institute, a request that has been made for the last three years. MU requested the state legislature match its $3 million for the project.

A three-story addition to the facility would serve as academic space for MU Health Care staff and students.

Additional operating costs for the new building are estimated at $114,000 annually, which would be supported by the campus operating budget.

Projects underway

The UM System already has $555 million invested in current projects. A majority are on the MU campus, including about $94 million for MU Health Care.
“It’s imperative for the curators to understand that there’s a lot in the pipeline for all four campuses,” Burnett said.

Curator David Steelman asked how many of the projects were catered to increasing research capabilities on any of the four college campuses.

Burnett could not provide numbers immediately, but he said most of the projects are to expand teaching space because of the increase in enrollment — 39 percent across all four campuses — in the last 15 years.

“A lot of this is taking care of the educational enterprise, but sometimes you’ll have research space in a building where you also have teaching space,” he said. “Clearly, those laboratory buildings have some research components.”

OPERATIONS

The UM System will start fiscal year 2018 with $464.9 million in existing state appropriations. On Thursday, the Board of Curators discussed asking the Missouri General Assembly for an additional $26.7 million, totaling $515.6 million.

The total $515.6 million request would be appropriated this way:

UM core operations: $464.9 million.

Other curator programs core and new requests: $12.6 million.

Legislative requirements: $11.4 million.

Additional funding: $26.7 million.

The additional $26.7 million in funding would be allocated this way:

$3.8 million for restoration of UM System core operations.
$500,000 for the Kansas City campus’ satellite dental program at Missouri Southern State University in Joplin.

$22.4 million in performance funding for core operations.

Financing for STEM investments and other initiatives, to be determined.

Among the $12.6 million in new requests is $2 million to create MU Tier 1 Safety Net Hospitals at Truman Medical Centers and MU Health Care. Curator John Phillips expressed concern about that appropriation request.

“It sounds like the request is to subsidize MU Health, which I don’t think includes Truman,” Phillips said. “Why are we offsetting part of the cost that we hold (MU Health) accountable for?”

Burnett said Truman lobbied the state legislature for more support but didn’t want to receive new state appropriations unless MU Health also benefited.

“That’s not how it’s presented in the materials,” Phillips said.

He added that as an ongoing health enterprise, MU Health shouldn’t blur the lines of how the appropriations will be created and carried forward.

Burnett said he will put together more information on state funding for MU Health in time for the curator’s next meeting in July.

The curators will vote on the operations request at their July meeting after all four campuses have a chance to consider it. It will be submitted to the legislature on Aug. 1.
The Coalition for Graduate Workers announced a new advocacy campaign in a statement about MU budget cuts on Thursday.

The coalition wrote that it will begin building a campaign on behalf of staff, non-tenure faculty and graduate student employees who have been affected by budget cuts.

"It has become a troubling pattern that those who suffer from cuts are inevitably those that are most vulnerable," the statement read.

The campaign's goal is to communicate that the budget cuts are hitting the wrong people, Connor Lewis, co-chair of the coalition, said.

"It's easy for a college unit to eliminate graduate assistant positions without facing any kind of negative opinion. Non-tenure faculty are only on one-, two- or three-year appointments, so it's easy not to renew contracts," Lewis said. "That's why they're the first to go when there's any kind of budget difficulty."

Lewis said that while non-tenure faculty and graduate student employees are being laid off, administrators at the campus level never seem suffer to when there are budget cuts.

He said the coalition hopes to humanize the layoffs caused by budget cuts through the campaign.

"When you see a headline that says, 'Fifty people laid off,' it's just a number," Lewis said. "I think the most important thing is to put a human face to the cuts. To show that these are living and breathing people."
The campaign was sparked after the coalition caught wind of two associate professors in the Theater Department — Kerri and Dean Packard — being laid off. Lewis said the layoffs had been on the coalition's radar for a while, but the breaking point came when he read a news article about the professors.

"We realized this is something we needed to put together in order to try to make sure that staff, non-tenure faculty and other people impacted by these cuts have an advocate in their corner," Lewis said.

While the campaign has made no statement on what exactly it plans to do, Lewis said the next step is to sit down and talk with people affected by the cuts.

"We need to talk to those people and figure out the path forward that allows us to partner with them to put together this campaign," he said. "Then we can figure out what the best way is to communicate this message."

Mary Jo Banken, executive director of the MU News Bureau, said MU had nothing to say about the graduate students' campaign.

University system responds to graduate student lawsuit

COLUMBIA, Mo. - Lawyers for the University of Missouri Board of Curators say graduate student workers cannot collectively bargain with the schools, since they are "students."

Michael Kaemmerer is one of four lawyers representing the UM System in the lawsuit brought by the Coalition of Graduate Workers last month. The group seeks to unionize the nearly 2,600 graduate student workers on the Columbia campus, and secure the right to collectively bargain with school administration. Interim chancellor Hank Foley has resisted such an effort, saying he
would rather a court decide whether or not graduate assistants should be considered "employees" before allowing a union.

Kaemmerer gave five defenses for the UM System. One claims that graduate students can't be employees, as defined by the Missouri Constitution, because of their status as students, "and therefore do not have any right to bargain collectively." However, the defenses go on to "assume" that graduate students can be considered employees, but say a vote to unionize must happen under University rules. The University chose not to recognize a two-day election held in April by graduate students, run by the League of Women Voters, in which 84 percent of voters wanted to unionize.

Sally Barker represents the graduate students in this case. Barker won a case at the state Supreme Court for teachers in the Independence school district, securing a statewide right for teachers to collectively bargain with their school districts. Barker did not return a late message seeking comment as of Friday afternoon.

Graduate workers have told ABC 17 News that a contract with the school would guarantee benefits like health insurance subsidies and graduate worker pay. The school suddenly pulled health insurance subsidies in August 2015, in an effort to enforce an IRS ruling on those subsidies, starting a firestorm of protests by students, and the eventual restoration of that benefit.

Interim UM System president Mike Middleton said he would rather a judge decide if graduate student workers were employees.

"I have a lot of respect for the legal system, being a lawyer, and so I would rather let a judge make that determination," Middleton said Friday.

Kaemmerer also argued that the CGW would need approval from the state's Board of Mediation, under the Department of Labor. Most public employees with state, county and city governments must go through the Board to form a union, but the rules make no specific reference to graduate student workers.
College of Arts and Science faces financial instability as O’Brien departs

TAYLOR BLATCHFORD, Updated Jun 18, 2016

COLUMBIA — As Dean Michael O’Brien prepares to leave MU’s College of Arts and Science in July, his replacement will take on an unstable financial situation and substantial budget cuts.

The college finished the 2014-15 school year with a $5.24 million deficit in its general fund. It’s facing a 5 percent budget cut amounting to $4.2 million due to a university-wide enrollment drop of 2,600 students. Arts and Science’s freshman enrollment deposits are down by 487 for the fall.

O’Brien will become the provost at Texas A&M University-San Antonio, and an interim Arts and Science dean hasn’t been announced.

O’Brien was offered the provost position at Auburn University in 2011 and at that point the college was $16 million in debt, according to a letter then-Provost Brian Foster wrote to O’Brien, who was seeking a counteroffer from MU.

Foster covered the debt with campus reserves, promised the college an additional $4 million over the next four years and increased O’Brien’s salary by 15 percent to $240,350, according to the letter, obtained by the Missourian through a Sunshine request. O’Brien stayed at MU, and again, the college accumulated debt.

Arts and Science’s financial situation is largely the result of the services it provides to students across all of MU’s schools, MU Vice Chancellor for Finance Rhonda Gibler said. It doesn’t receive an allocation proportional to the courses it teaches and constantly has to adjust to enrollment fluctuations.

Budget allocations
MU’s enrollment rose by over 7,000 students from 2006 to 2015. Students from many schools and colleges take classes in Arts and Science, and the college has had to hire additional adjunct faculty, referred to as “other teaching support,” to keep up with demand, Gibler said.

Arts and Science doesn't receive all the revenue its courses bring in. Because students from nearly all schools take A&S classes, the revenue is distributed among MU’s colleges.

The college runs "closer to the margin" than other schools because funding allocations take money away from Arts and Science to support the financial health of the overall campus, Gibler said.

“At the end of the day, these aren’t separate businesses,” Gibler said. “If they each had to stand on their own finances (with what we give them), then Arts and Science would have had to close."

But, she added: "We’re not in this as individuals; we’re in it as a whole university."

In other words, where spending and debt are concerned at MU, the practice has been to borrow from Peter to pay Paul.

Gibler wasn’t the vice chancellor for finance when the college’s debt was paid off in 2011. She said paying debt from campus reserves isn’t uncommon at universities, but it’s not something she likes to do. She prefers to set goals with deans to increase research or other incentives and then give the increased revenue back to the college.

"Moving money around isn't as important as understanding the underlying dynamics and how to address them," she said.

Although Arts and Science — with 28 departments and 9,400 students last year — is the largest school at MU, its budget is smaller than schools with larger external operations, such as the School of Medicine and the College of Agriculture, Food and Natural Resources.

It was also the last school to add a supplemental fee for its courses in 2014.
“That’s part of how we got where we were,” Gibler said. “We weren’t thinking of Arts and Science in the same way as we were looking at some of the other schools and colleges” and the need for fees.

Gibler regularly meets with a designated fiscal officer from each school, and she also communicates with deans and sends them yearly reports detailing their schools’ budgets.

Barbara Staiger, Arts and Science's fiscal officer, retired this year, according to a document listing MU retirees. Sue Becklenberg is now in the position.

Gibler said deans are responsible for carrying out the missions of the university, and managing the budget is one aspect of that.

“You have a set of resources, and by and large, our expectation is that you would live within those resources,” she said. “The dean makes decisions about the resources he or she has, how they get allocated out and what they’re going to do.”

Enrollment fluctuations

Enrollment at the College of Arts and Science has consistently fallen for the past few years, even as MU’s overall enrollment has risen.

In 2006, Arts and Science students made up 31.3 percent of MU’s total enrollment of 28,253 students, according to data from the Division of Enrollment Management. In 2015, Arts and Science students made up just 26.5 percent of MU’s total enrollment of 35,448 students.

Arts and Science enrollment hit its peak in 2011, with 10,311 students. Between then and 2015, it dropped to 9,400 students. The decline will continue next year.

In an interview shortly before he announced his departure, O’Brien said he wasn't worried about next year’s enrollment decline because many students transfer into the college after coming to MU, and many students from other schools take classes in Arts and Science.
“We don’t even care what the numbers are for us,” O’Brien said. “We care about what they are for the campus. We’re here to offer services.”

The enrollment drop, however, means fewer students paying tuition to the school, which will cause a significant funding loss on top of the 5 percent cuts.

O’Brien said he left decisions about what to cut up to department chairs and program directors within Arts and Science. He said most of the reductions came from not filling the positions of faculty or staff who had left the college, and some staff members’ responsibilities will be expanded as a result.

“Nobody’s thrilled, but we also know we’ve got a responsibility,” O’Brien said. “With a $40 million shortfall and everything that’s gone on, especially a drop in students for the fall, I think everyone’s convinced there are no pots of money hidden around.”

He said the highest priority is making sure the cuts don’t affect students’ education, although classes might be larger or turned into hybrid classes that are partially online.

“We’re not just carving off huge numbers of classes and getting rid of them,” O’Brien said. “Chairs work with their faculty and say we could do without that, or we could combine it with that. We can take two sections and make one section out of it, or something. I don’t micromanage. They tell me what they can do.”

Although he will leave the college July 15, he wants the school to increase its recruiting efforts across the country to prevent future drops in enrollment.

“It takes money to make money if you’re serious about out-of-state recruiting,” he said. “We’re fighting for the same students as all the universities.”

Faculty layoffs

O’Brien said that laying people off was a last resort in making cuts but that there were four or five non-tenure track faculty whose contracts weren’t renewed.
Kerri and Dean Packard, both associate professors in the theatre department, were two of those faculty members. Both had worked in the department for more than 20 years and were handed letters on May 17 informing them that their contracts had not been renewed. The only reason given was budget cuts.

Kerri Packard said she hasn’t heard of any other cuts within the department.

Both had specialized technical roles within the 10-faculty member department: Kerri Packard was in charge of the costume area and taught advanced costuming classes, and Dean Packard taught stage lighting design and worked with sets, technical direction and lighting design. Kerri Packard said there are now only two people left in the design and technical area, neither of whom are trained to do costumes.

O’Brien said he wanted departments to work with their faculty to make the least disruptive cuts, but Kerri Packard said the theater faculty never discussed potential cuts with department chairwoman Heather Carver. Carver did not respond to multiple requests for comment.

“If we had an opportunity to get together as a faculty to discuss those things, we could have made those decisions,” Packard said. “There was never a meeting where we could say we’re willing to take a budget cut or a pay cut or anything like that. A single person made the decision.”

Kerri Packard said she was concerned that the theatre department could eventually be closed entirely, but O’Brien said cutting any department or program in the school would be a last resort because he sees all of them as important.

Julia Gaines, director of the School of Music within Arts and Science, said she worked with her faculty to closely audit the school’s programs, including class sizes and teaching loads. She made cuts by combining sections of classes, resulting in several adjunct professors’ contracts not being renewed. The department will also hire fewer teaching assistants.

“All our cuts come in the form of people, and that’s hard to handle,” Gaines said. “We really liked having those people around, but in times of budget scrutiny, this is what happens. I would have to say none of the faculty are pleased.”
Although several faculty members are not returning, their positions are still being filled because the School of Music is so specialized, Gaines said. So far, students’ class options aren't being affected.

Gaines is worried about the stability of the college’s faculty because many tenure-track positions have been replaced with non-tenure track positions, which have smaller salaries and less job security.

“I’d love to have faculty who stay here more than two years,” she said. “That’s going to be hard with these low salaries and these non-tenure track positions.”

MU free speech policy draft up for comment

By Alan Burdziak

Saturday, June 18, 2016 at 12:00 am

A draft of policies on free speech and protests at the University of Missouri will not be adopted until at least the fall to allow ample time for comment.

The policy, created by MU’s Ad Hoc Joint Committee on Protests, Public Spaces, Free Speech, and the Press, was the result of months of meetings, review of MU’s current regulations and an analysis of other universities’ rules. In late May, the committee issued its draft of policies, which will go to the Faculty Council for approval sometime in the fall and then to interim Chancellor Hank Foley.

Foley and Faculty Council Chair Ben Trachtenberg, a law school professor, formed the committee in January, saying they wanted to examine how public spaces can be regulated on campus while respecting the free-speech rights of the public and community safety. The committee, composed of 13 faculty and staff members and two students, also was charged with determining how MU can best resolve conflicts over the use of public spaces in light of the protests and unrest that consumed the campus in the fall.
Until it is approved, anyone can email suggestions on the policy, which is available on MU’s website. A large public meeting will be scheduled at some point in the fall, and smaller groups are welcome to request a meeting to share their input with some of the committee members, Trachtenberg said. Both he and Bob Jerry, the committee chairman, expect the draft policy to change.

“The idea is to get a lot of input,” Trachtenberg said. “I don’t think anybody believes that the draft rules are so beautiful that no possible improvements could be made.” He encouraged input from people who live nowhere near MU or have no ties with the university.

The Faculty Council meets again on Aug. 4, but Trachtenberg said there’s no way it will vote on the policy at that meeting because it will be the first meeting after the summer. “The goal is for faculty council to endorse a document that we’re happy with and that we expect the chancellor’s office can support,” Trachtenberg said.

Among the recommended policy changes is to resume enforcement of a 69-year-old ban on camping or sleeping on campus outside of dorms and residence halls and for officials to not interfere with expressive activities on campus unless participants engage in certain behaviors, including being violent or disturbing class, other educational activities or an event that already had been scheduled.

Expressive activities, such as protests, also will not be allowed in certain areas of campus, such as private offices or places that need to be kept clear, like University Hospital’s emergency room driveway.

Jerry said the policy’s first draft is an appropriate way to address issues of First Amendment protections and their intersection with safety.

“I think the committee has put together an excellent report, but this area of First Amendment law and the policy itself has a good bit of complexity,” Jerry said. “I think it’s very possible that suggestions could come up that would improve it.”

The policy lays out how the university legally can regulate expressive activities with reasonable time, place and manner restrictions, which is consistent with First Amendment law, Jerry said. The policies also spell out how officials should respond to events where the regulations are violated and puts all the regulations in one place for convenience.

“I see these rules as being strongly supportive of free speech, which was important to me,” Trachtenberg said.
New investment fund would encourage small business growth in Columbia

COLUMBIA, Mo. - Local tech startups could see a financial windfall in the near future.

Business experts at places like the Missouri Innovation Center, REDI, the University of Missouri and the city of Columbia are finalizing a way to financially support newly created businesses in the area to get them up and running.

"If you don't have these programs a lot of those ideas are going to go places where they can get that type of funding," said Steve Wyatt, the associate vice chancellor for economic development at the University of Missouri. "This allows us to help them get planted here and hopefully develop really deep roots in our community so it can reap the benefit of that."

They'll award between $25,000 and $100,000 to several different entrepreneurial efforts with the use of the newly created Missouri Innovation Accelerator Fund.

"What we want to do is help those early stage companies start," Wyatt said. "That early-stage capital is really hard for them so this accelerator fund has been a collaborate effort of the city, the university, a lot of individuals in the community all coming together to create a fund."

The city of Columbia recently pledge a few hundred thousand dollars it had set aside for this purpose. It will combine those funds with the other funds from the university and private individuals. The fund is expected to have about a million dollars to use.

Bill Turpin, the president and CEO of the Missouri Innovation Center, graduated with an engineering degree from the University of Missouri and has spent more than 30 years as a serial entrepreneur. He was the founding CEO of four startups and a senior executive at different companies that include Netscape.

Turpin said he came back to Columbia from California two years ago and has been working to revitalize the city's entrepreneurial base ever since.

"Columbia has centennial investors and that does a good job for middle stage companies but there was really nothing in Columbia for early stage companies," Turpin said. "We were losing
companies to St. Louis, Kansas City or farther away. Or no one was starting a company because it was too hard to get funding for a really early-stage company."

Turpin and Wyatt said the fund functions as more of an investment, not a loan.

"If there's an event where we can cash out or a lot of times it can be bought out, there will be a return to the fund," Wyatt said. "The fund will distribute the profits depending on how much was the investment, so there will be a payback to the investors."

Turpin said they will probably invest in many different local businesses because one or two businesses out of 10 are huge successes and would mean that they would get back sometimes more than they invested.

He said they're also using "impact investing."

"This fund does good in two ways because it helps the local economy but it also makes the world better," he said. "Hopefully the companies we're investing in do good things as well."

Both Wyatt and Turpin said they believe with investment funding as an option, it might encourage many businesses to stay and boost the economy.

"They're going to buy buildings, hire people, buy services all those sort of things that help the local economy," Turpin said. "You have to grow them locally."

They hope to award some of their first investments in the fall and so far tech businesses (computers, software development) will be the only area of focus. Eventually Turpin said they might expand if they see success with this current fund.

Turpin said he expects to spent several years growing the entrepreneurial base in Columbia.

"Nothing happens all at once," he said. "It's our starting point, I think."
MU Health Care physicians offer tips on keeping your family safe this summer

COLUMBIA – It's one day away from the official beginning of summer, but we have already been feeling the heat. As the summer heat and humidity makes its way to mid-
Missouri, health experts from University of Missouri Health Care urge residents to take precautions to protect themselves.

“Everyone is at risk,” said Chadd Kraus, emergency physician at MU Health Care and assistant clinical professor for emergency medicine in the MU School of Medicine. “Just because you’re young and healthy, you should still be vigilant and drink enough water. Still being in the shade as much as you can.”

He said while the heat can affect everyone, children, older adults, and those with health problems are at a higher risk.

University of Missouri Health Care spokesman Derek Thompson said six people had been admitted to University Hospital with health-related illnesses since last Saturday.

Kraus said it’s likely they underestimate the true number of patients they have seen due to the heat.

“Individuals who have other health problems, they may come in with manifestation of those other problems. So, heart problems or lung problems, that we really don’t attribute to the heat directly, but that the heat pushed them over the edge and caused them to have to come in,” Kraus said.

He said during times of extremely high temperatures and humidity, it’s important to recognize the signs and symptoms of heat-related illnesses.

- Heat exhaustion signs: Dizziness, lightheadedness, headache, nausea and profuse sweating.
- Heat stroke signs: Extremely high body temperature of 104 or 105 degrees Fahrenheit; hot, dry skin with no sweating; rapid pulse; confusion; and changes in mental status
- Dehydration signs: Dry mouth, thirstiness, dry lips, fatigue, lightheadedness and headache.

Kraus said when you see signs of a heat exhaustion you should get inside to a cool environment, take a cool bath and drink some extra fluids. Heat stroke symptoms are a serious medical emergency. Kraus said if you spot signs of it, call 911 immediately for treatment at a hospital. If you spot dehydration signs, drink some more water or sports beverages if you are sweating a lot.

Some more tips from Kraus are:

- Stay out of the direct sun between 10 a.m. – 4 p.m., when the heat index is at its highest.
- Drink plenty of water. Avoid caffeine and alcohol.
- If you have to be outside, be in the shade as much as you can.

Kraus urged parents to not leave their kids in cars.
“A car basically becomes an oven within a few minutes during this type of heat, so it’s really important not to leave little children or an elderly family member or a pet in the car with the windows rolled up even with the windows down, it can get very, very hot in just a few minutes and can become dangerous and even cause death.”

Temperatures set record highs last week, putting a heat advisory on multiple counties in Central Missouri. However, chances for rain this week will cool Mid-Missouri back down to the 80s through Wednesday.

Summer begins at 5:34 p.m. Monday.