Killing Tenure: Legislation in two states seeks to end tenure at public colleges and universities.

By Colleen Flaherty

January 13, 2017

Lawmakers in two states this week introduced legislation that would eliminate tenure for public college and university professors. A bill in Missouri would end tenure for all new faculty hires starting in 2018 and require more student access to information about the job market for majors. Legislation in Iowa would end tenure even for those who already have it.

The bills, along with the recent gutting of tenure in Wisconsin and other events, have some worrying about a trend.

“These are serious attempts to undermine universities and the role of universities in society,” said Hans-Joerg Tiede, senior program officer for academic freedom, tenure and shared governance at the American Association of University Professors. “If they’re not directly coordinated, there’s a strong current going through all of them.”

No New Tenure in Missouri

“If you’re doing the right thing as a professor and teaching students to the best of your ability, why do you need tenure?” asked Representative Rick Brattin, a Missouri Republican who wrote HB 266. The bill says that “no public institution of higher education in this state shall award tenure” to anyone hired after 2017. It also would require colleges and universities to post on their websites or in course
catalogs information about degree programs including “the current job market for people who have earned the degree” and employment data for the most recent graduating class.

“What other job in the U.S. has protections like that?” Brattin said of tenure. “If you looked around, you’d come up short.” Asked about academic freedom and protection for researchers engaged in a variety of controversial fields, Brattin said that universities would be “ludicrous to get rid of” someone working at the “cutting edge” of a discipline. Yet too often, he said, tenure is used to protect those professors who have “lost their edge.” He said he wasn’t sure what, if anything, should replace tenure, such as rolling or long-term contracts.

Brattin cited the case of Melissa Click, a former assistant professor of communication studies at the University of Missouri at Columbia who asked for "muscle" to remove a student journalist from a campus protest in 2015, as an example of how difficult it is to fire professors accused of acting unprofessionally. Reminded that Click did not have tenure and was eventually terminated, he said, “Anyone else in any other sort of setting would have not been at work the next day. But in the academic world, you can get away with literally anything and taxpayers are paying their salaries -- not to mention students being burdened with millions and millions and millions of dollars of debt.”

A spokesperson for the University of Missouri System declined comment on the bill, citing a custom of not discussing pending legislation. But professors across fields were quick to criticize Brattin’s tenure proposal.

Ben Trachtenberg, an associate professor of law at Mizzou and chair of the campus Faculty Council, said he understood that the Legislature has an interest in higher education, and that he and other faculty members would be happy to talk about how its various workings, including tenure, might be improved. “But this particular bill would not be a good idea for a couple reasons,” he added. “Tenure is important in its own right, in that it helps protect academic freedom, helps encourage cutting-edge research and helps faculty engage in shared governance, which is important to the long-term success of the institution.”

If that isn’t convincing, Trachtenberg said, ending tenure for new hires would put the university at a grave competitive disadvantage in recruiting top faculty candidates. “I think an economist would suggest that if there are two jobs that pay the same, and one has much more job security, that’s the one that’s going to be more exciting to prospective employees.” He noted that even anti-tenure economist Steve Levitt, William B. Ogden Distinguished Service Professor of
Economics at the University of Chicago, has said he’d give up his own tenure -- in exchange for $15,000 extra in salary.

J. Chris Pires, a professor of biological sciences at the Columbia campus who opposes the bill, also said that even research institutions with five-year rolling contracts instead of tenure offer appointees higher pay. “If [Mizzou or any university] wanted to get rid of tenure but remain competitive to recruit faculty, then they would have to substantially increase salaries,” he said, doubting that was a “realistic plan” for most states.

In a letter to Missouri legislators, Mannie Liscum, another professor of biology, cautioned them against acting as their counterparts in Wisconsin had. “Doing away with tenure and cutting state support is a job killer in higher education,” he said. “Killing higher education is shortsighted for a state, because our innovation declines, our ability to compete declines and our respect declines.”

**Ending Tenure in Iowa**

Opposition to [Senate File 41 in Iowa](https://www.legis.iowa.gov/Legislation/Senate Bill/2021/Senate BILL%2041.aspx), proposed by State Senator Brad Zaun, a Republican, has been louder still -- even coming from the state’s Board of Regents.

“We recognize the concern about merit-based evaluations addressed in the bill, however, the [board] understands the role of tenure,” Board of Regents President Bruce Rastetter said in a public statement. “We oppose this bill, and I look forward to meeting with Senator Zaun to hear his thoughts.”

Zaun did not immediately respond to a request for comment, but his bill is even more far-reaching in terms of tenure than Brattin’s in Missouri. It would prohibit at all public institutions of higher learning the “establishment or continuation” of a tenure system -- so even those that already have it would lose it. Acceptable grounds for termination for faculty members include but wouldn’t be limited to just cause, program discontinuance and financial exigency. All institutions would adopt written statements “enumerating” employee agreements and annual performance evaluations, along with minimum standards of good practice and review and disciplinary procedures.

Under the bill, the dean of a college would have the authority to “employ faculty as necessary to carry out the academic duties and responsibilities of the college.” Joe Gorton, an associate professor of criminology at Northern Iowa University, said he thought arguments in favor of either bill betrayed a serious ignorance about how academe works.

“This is a terribly dangerous idea,” he said of eliminating tenure. “Tenure doesn’t prevent termination for just cause, but it prevents the discipline or termination of
a faculty member who teaches or conducts research in areas that are controversial or politically unpopular.”

Regarding comparisons to other kinds of employees, Gorton said that academics already endure an unusual amount of scrutiny in the lead-up to tenure, and regularly thereafter. But the reality is that their work is different from that of other public employees, and they deserve unusual protections. “We’re not delivering the mail here.”

Gorton added, “What people fail to understand is that tenure is one of the important fortifications of American democracy, in that in the areas of arts and sciences and literature, universities are a bastion for intellectual freedom. … When tenure ends, the politically powerful or economic elite can control what goes on in universities.”

It's unclear what kind of support exists for Zaun's proposal. He's introduced it before, to see it go nowhere. But his party now controls the Iowa Senate.

**Broader Concerns**

Tiede said he wasn't surprised that the new bills came from states in which the AAUP has recently investigated public institutions for violations of academic freedom or the norms of shared governance. (AAUP's investigation of Mizzou related to the Click case also found that legislators pressured the university to move against her.) Beyond tenure, he said he was concerned by developments in other states, such as legislators’ recent threats to link funding for the University of Wisconsin at Madison to the discontinuation of a course on whiteness.

A proposed bill in Arizona also seeks to prohibit courses at state colleges or universities that “promote division, resentment or social justice toward a race, gender, religion or political affiliation, social class or other class of people,” among other criteria.

Tiede said he didn’t expect that the picture would brighten under the incoming administration.

“This looks like the perfect storm of government and legislative attacks on higher education.”
Missouri Lawmaker Who Wants to Eliminate Tenure Says It’s ‘Un-American’

By Fernanda Zamudio-Suaréz JANUARY 12, 2017

College graduates in Missouri should be able to find jobs that correspond with their degrees, and their professors should help them do so, says State Rep. Rick Brattin, a Republican.

To make that happen, Mr. Brattin says, he would eliminate tenure at Missouri’s public colleges and universities. House Bill 266, introduced this month, would outlaw awarding tenure in Missouri after January 1, 2018. (The bill would not apply to faculty members awarded tenure before January 1, 2018.)

HB 266 would also require public colleges to publish more information, including the estimated price of individual degrees, employment opportunities expected for degree earners, and a summary of the job market for each degree, among other things.

Mr. Brattin spoke on Wednesday with The Chronicle about his proposal, which would lower college costs and fix a "broken" system. This interview has been edited for length and clarity.

Q. Why did you feel this bill was needed?

A. The biggest intent had to do with the provision of being transparent in the cost to students for the degrees that they receive. We’ve seen throughout the media and all across the nation where some professors are taking what is supposed to be their responsibility of teaching and, once they reach tenure, they are able to start teaching classes that really aren’t, in a lot of people’s opinion, especially ones that are paying for that college degree, are a little out of the scope of what’s going to help them in a real-world situation.
In today’s day and age, a need for tenure is outdated. There are provisions that do protect the ability for a professor to teach in accordance to how they see fit, but not go off the rails and off the deep end on a protection such as this.

Q. What is a better solution for the university-employment process? As you know, virtually every American university uses tenure.

A. Where else in any other industry do you have tenure, do you have a protection to where after you work somewhere for so long you’re basically immune? That doesn’t exist anywhere except for our education system, and that’s just un-American. If you’re doing your due diligence as a professor or any profession, you shouldn’t have to worry about termination.

Why do we need a protection like tenure if you’re doing your job as a professor and you’re educating kids like you’re supposed to be doing for real-world application and betterment of their life skills? Why do you need that?

Q. Are you concerned that eliminating tenure would damage academic freedom, or professors could get fired for political reasons?

A. Like I said, in what area do you have protection of your job for whatever you say, whatever you do, you’re protected? You don’t have that. Their job is to educate, to ensure that students are able to propel themselves into a work force and be successful. That’s their job.

If they are going off the rails and not doing what they are supposed to as a hired staff of educating those kids, should they not be held accountable? Should they have the freedom to do whatever they wish on the taxpayers’ dime and on the students’ dime? That should be more the question: Should they have that freedom to do that? Their focus should be to ensure that we have an educated person to be able to succeed beyond their wildest dreams.

Q. When you say that professors are teaching things that aren’t practical, do you mean the courses offered by the university or the lesson plans in the classroom?

A. It’s a mixture of both. We’ve seen out-of-control cost and the cost of the schooling is just astronomical. What my bill does, it lays out what the costs to that student is going to be to degree, what they are going to be able to make in that job market, what that degree even pertains to in that real-world job market. By having an inflated amount of classes that are required, and really don’t pertain to degrees addressing
some of these issues of transparency, will help our education system as opposed to hurting it.

Students are getting degrees that have no real-world applicability, and then they’re stuck with all this monumental debt and then no job to pay it off. And it’s a disservice to our youth.

Q. It sounds like you think that universities should change the structure of certain majors, and the way degree maps are presented.

A. I know the bill has a tenure portion, but the main portion of this bill is to make it as transparent on the cost each student is going to be paying, the applicability of the degree, every degree that they offer, and what the prospective job market is for that degree. That’s what needs to be brought to light.

If you talk to these college students, they’re told these degrees are great and then they get out in the real world with no job that it even applies to. Then they find themselves having to go back to school trying to find something that hopefully they’ll be able to get a job with.

I think that tenure is a contributing factor at bringing down costs for students to where we have an efficient work force, but not inflated to where everyone is protected by tenure if they are not educating our kids in the fullest extent.

Q. Was this connected with the Mizzou protests?

A. I filed this bill long before the protests happened. [According to the Missouri House Journal, Mr. Brattin filed a similar version of this bill, House Bill 1165, in March 2015 without provisions to eliminate tenure. The University of Missouri at Columbia’s student and faculty protests took place in the fall of 2015.] This was brought to me by students and family members that have gotten degrees they were told was a great degree path and they get in the real world and can’t find a job that it really applied to. They’re working at a retail store for $12 an hour with $50,000 in debt. They feel like they were misled. That’s a disservice, especially with a public university, and we need to ensure that what those public dollars are going to, and if these students are going to be making a good investment.

Q. A lawmaker has filed a bill to eliminate tenure at public universities in Iowa. Is there a sentiment in statehouses nationally that tenure should be eliminated, or is this a coincidence?
A. We see this in the media, we see it all across the nation, we see it here in Missouri to where things aren’t being done according to their job description and students are having to pay for it. Taxpayers are having to pay for that, and it’s wrong.

We’ve got to make sure there is checks and balances. We want academic freedom. We want the building to have that freedom there, but you’re also there to carry out a job, and you have to do that job. Those protections that make it to where you can do whatever you want — you don’t have to worry about anything because you have that protection — I think it’s wrong. Our students deserve better, especially when they have this huge amount of debt they are going to have to pay back, and they may not end up with a real, applicable job by the degree they are being told will do that.

Q. Specifically, what do you mean "things aren’t being done" according to a professor’s job description?

A. When we have college graduates making up 40 percent of unemployed Americans, after they have been promised if they come here and they receive this degree, they’ll be able to do this, that, and the other, and they find out it’s an out-of-date degree program or degree, it’s an injustice to our youth.

Something’s wrong, something’s broken, and a professor that should be educating our kids, should be concentrating on ensuring that they’re propelling to a better future, but instead are engaging in political stuff that they shouldn’t be engaged in. Because they have tenure, they’re allowed to do so. And that is wrong. It’s an abuse of taxpayers dollars. If you want to go get grant money, or you want to be privately funded to do your endeavors of whatever, that’s fine. When you’re on the taxpayer dollar, I don’t think that’s a proper use of the taxpayers’ money.

Q. Let’s say a geologist at the University of Missouri is tenured and his responsibility entails research. Part of his job is to do research on publicly funded dollars. Do you think that should be publicly funded?

A. If that’s his job and he was hired by the university to do x, y, and z, and he’s performing x, y, and z, that’s what he was hired to do. It’s when these professors receive tenure that they are all of a sudden allowed this astronomical freedom to do whatever they wish, and they’re virtually untouchable, I’m sorry, it’s taxpayer dollars.

There should be accountability with whatever you’re doing. And it’s quite clear by the numbers that what’s being done is not at the best level and the highest echelon that it should be.
Lawmakers in 2 States Propose Bills to Cut Tenure

By Fernanda Zamudio-Suaréz JANUARY 13, 2017

Republican lawmakers in at least two states — Sen. Brad Zaun of Iowa and state Rep. Rick Brattin of Missouri — proposed bills this month that would eliminate the tenure system at public colleges and universities.

Missouri House Bill 266 isn't exclusively about cutting tenure. The bill would also require public colleges to publish estimated costs of degrees, employment opportunities expected for graduates, average salaries of previous graduates, and a summary of the job market, among other things.

In an interview with The Chronicle, Mr. Brattin said that tenure is "outdated" and hinders colleges from holding professors accountable. Professors' main focus should be to help students get the best job possible, he said.

"Something's wrong, something's broken, and a professor that should be educating our kids should be concentrating on ensuring that they're propelling to a better future, but instead are engaging in political stuff that they shouldn't be engaged in," Mr. Brattin said.

In Iowa, Mr. Zaun's bill focuses specifically on getting rid of tenure in public universities and community colleges, giving the Iowa Board of Regents more power, and establishing a program to hire more female faculty in "targeted shortage areas."

Mr. Zaun has not responded to a request for comment.

Iowa Senate Bill 41 proposes to eliminate tenure completely, including for current faculty. The Missouri bill would stop awarding tenure after January 1, 2018, but does not say it will eliminate tenure for current employees.
Critics, including faculty members across the country, have already raised concern about the bills.

**Mizzou to close campus due to impending ice storm**

The University of Missouri-Columbia has announced a full closure of the Mizzou campus on Friday due to the impending winter weather. Only situationally critical employees are asked to report for work.

“Due to a winter weather advisory for our area and out of concern for the safety of our campus community, we have decided to close the campus on Friday,” Gary Ward, Mizzou vice chancellor for operations, said in a statement.

The university also is urging students not to travel to campus this weekend, as students are still on winter break and spring classes don’t begin until Tuesday. Residence halls will remain open Friday for anyone returning to campus.

Mizzou’s campus will resume normal operations Saturday.

Webster University also has announced a full closure of its St. Louis-area campus locations, including Webster Groves, Gateway at the Arcade Building, Westport, WingHaven and Scott Air Force Base, according to its website.

The university previously announced the cancellation of its spring new student orientation. Webster is currently on winter break and spring semester classes are set to resume Tuesday.

Lincoln University in Jefferson City, Missouri, also announced on Twitter that it will close campus Friday.

Several other local universities, including Washington University and the University of Missouri-St. Louis are still on winter break and will not resume spring semester classes until Tuesday.
According to the Weather Channel, St. Louis and other parts of Missouri will be under an ice storm warning from 9 a.m. Friday to noon Sunday.

Similar stories ran statewide

MU campus to close Friday ahead of storm, normal operations to resume Saturday

Watch the story: [http://mms.tveyses.com/PlaybackPortal.aspx?SavedEditID=ee49d78e-1a0e-4ad7-96f1-c1df2d878bd8](http://mms.tveyses.com/PlaybackPortal.aspx?SavedEditID=ee49d78e-1a0e-4ad7-96f1-c1df2d878bd8)

The University of Missouri has announced the closure of its campus Friday in anticipation of an imminent ice storm.

"In anticipation of impending winter weather, University of Missouri officials have announced a full closure of the MU campus on Friday, Jan. 13. Only employees who are situationally critical will report for work. Normal operations will resume Saturday, Jan. 14.," the statement on the MU Alert page read.

"Due to a winter weather advisory for our area and out of concern for the safety of our campus community, we have decided to close the campus on Friday, Gary Ward, MU vice chancellor for operations said in a statement. "We have been working closely with local and state officials and, given the current information, believe this is the best course of action at this time."

Right now, officials at Mizzou are still urging students to avoid travel this weekend. They say residence halls will open Friday for any students in Columbia.

"As scheduled previously, we will have our residence halls open on Friday for any students who are in town," Jeff Zeilenga, assistant vice chancellor for Student Affairs said in a statement. "We are urging students and parents to review travel conditions along any routes they might take to get to Columbia, and if at all possible, stay off the roads until Monday."

According to the university, all MU Health Care hospitals will remain open. The Veterinary Health Center will also remain open for emergencies. The MU Student Center, Student Recreation Complex and select dining facilities will remain open as well with limited services.
Columbia elementary school sees success despite low scores

BY EMMA BEYER, Missourian

COLUMBIA, MO. - At 1:45 on an October afternoon, Haley Floyd's class at Benton STEM Elementary School was still immersed in a science lesson.

The second-grade classroom was studying the quick and slow ways the Earth changes. That day's lesson: earthquakes, the Missourian (http://bit.ly/2jw6VmG ) reported.

The Smart-board in the classroom prompted the second-graders to make predictions on why earthquakes occur. To display the changing of tectonic plates, Floyd asked pairs of students to line up the black spines of their composition notebooks.

"Now push your notebooks together as hard as you can," she instructed students. Notebooks slammed together, creating paper mountains, mimicking the collision of tectonic plates.

Before students were dismissed, they gathered their things, cleaned up the classroom and grabbed a snack, either brought from home or from the class' community animal cracker bucket. On a carpet filled with multicolored squares, students listened to Floyd read "Rocks: hard, smooth, soft and rough." When the students came to new words, such as "erosion," Floyd said the word and asked the students to repeat it.

"Erosion," they said in unison.
On the second floor of Benton STEM, Bianca Sanford's third-grade classroom was littered with slivers of popsicle sticks and scraps of paper. The class was in the middle of a science unit about weather. Like Floyd's classroom, Sanford's classroom was covered in posters about the scientific method and being a scientist, including a poster declaring: "I can write like a scientist." Sanford's 20 students were wiggly and eager to continue working on the engineering part of their trimester-long weather project.

The class was challenged with the task to build a roof to protect a "feather family," using sandpaper, popsicle sticks and glue. Students worked in groups of three in the design project. With supplies and wood houses in hand, groups spread out around the classroom. In the center of the classroom, Jayda Harris, Isabella Key and Amahdrion Bradshaw began adhering popsicle sticks to their wooden house.

"We're making a flat roof with diagonal sticks so it's stronger," Jayda explained. Nearby, Destiny Glasglow, Dylan Fletcher and Gracie Miller worked on their project through an assembly-line process.

"He marks, she cuts and I glue," explained Destiny.

The three worked in near silence as Dylan measured the length of each popsicle stick, then handed it over to Gracie who cut the excess with school safety scissors before finally giving it to Destiny to assemble on their wooden home.

With excitement, a third group nearby chatted away during their building process.

"At my last school all I got was snacks!" said Cordell Crews. "Some kids don't get to build at all."

"Yeah," chimed in Ayanna McCants, who transferred to Benton STEM last year. "Last year, all I got to build was a gingerbread house."

Despite innovative, hands-on projects and student engagement, standardized test scores still show Benton students lagging behind other Columbia elementary schools in math, science and English. But the school's STEM coordinator and teachers say test scores don't measure the progress or success the school is experiencing since it made STEM — science, technology, engineering and math — a core part of the curriculum.

Officially Thomas Hart Benton STEM Elementary School, the school has been a part of Columbia's history for over 100 years. Originally built in 1910, the building was rebuilt in 1927, containing only 12 rooms and a gym. Since then Benton has grown in size and population. Today, Benton has its largest enrollment to date, with 307 students enrolled in the school. Located on Hinkson Avenue in north-central Columbia, the majority of students come from the surrounding neighborhood. Attendance for the school is based on a combination of lottery and zone-based admissions.
Last year, about 60 percent to 65 percent of the student population came from the surrounding attendance area. The remaining vacancies go to lottery students. Families that want to have their children attend can enter a lottery for admission; names are drawn at random. The remaining 35 percent to 40 percent of the student body, or about 122 students, attend via the lottery system.

Of the student population, 79 percent were eligible last year for free or reduced-cost lunch. Other Columbia elementary schools had, on average, 45 to 55 percent of the student body eligible for free or reduced-cost lunch. This data is used to signify the lower socio-economic status of the school's location and student body.

Benton's largest issue came in March 2011 when the Missouri Department of Elementary and Secondary Education placed the school under "School Improvement Level 3." Benton students' test scores hadn't met state goals for three years in a row. The department required the school to take "corrective action." Under the policy, district administrators have seven options, including options to "replace school staff relevant to failure," "appoint an outside expert to advise the school in its progress" or "institute and implement a new research-based and professionally developed curriculum."

**Former principal Troy Hogg wanted to not only improve student achievement, he wanted to unify teachers and make learning more meaningful to students. After looking at a model from other elementary schools and partnering with the MU College of Engineering, the school received a $10,000 grant from the Columbia Public Schools Foundation to purchase the Engineering is Elementary curriculum from the Museum of Science in Boston and began to change the philosophy and practice at Benton.**

Later that year, Benton transformed to become a STEM school, which meant integrating science, technology, engineering and mathematics throughout the curriculum.


**CVB rolls out plans for solar eclipse**

The Columbia Convention and Visitors Bureau unveiled initial plans Thursday to provide a welcoming experience for people wanting to see a historic eclipse.

On Aug. 21, a total solar eclipse will be visible, the first of its kind to be seen from the lower 48 states since 1979 and the only one to be seen exclusively from the United States in the more than 200 years since its founding.
Because Columbia is in the “path of totality” and is the largest city in the area, it has attracted attention from potential viewers, said Megan McConachie, CVB strategic communications manager.

The CVB has been fielding calls for at least a year from locations as far as London and Chicago, McConachie said, adding that a Boston-based astronomy society plans to send members to Columbia for the eclipse.

To accommodate viewers, the CVB announced two dedicated viewing areas — Cosmo Park and Gans Creek Recreation Area.

Cosmo Park will be a family-friendly destination, McConachie said. The CVB is working with Off Track Events to create a “festival atmosphere” with music and food vendors, she said.

Off Track’s Colin LaVaute said Cosmo Park will serve as the place to be “for the casual observer.”

Gans Creek Recreation Area will be for more “extreme enthusiasts who have spent thousands of dollars on equipment to experience the happening,” LaVaute said in an email.

Because the eclipse takes place on a Monday, Off Track is planning “free live music events as well as activity-based entertainment” that weekend to crescendo into the main event, LaVaute said. The details of those activities still are being finalized.

“The day of will be all about the eclipse itself and ensuring that we have a lock-tight plan in place for dealing with the expected crowds,” he said.

McConachie said the CVB is preparing for crowds consistent with a “busy football game,” though those estimates could increase closer to the date. Angela Speck, director of astronomy at the University of Missouri, has said the event could draw as many as 400,000 people.

Event planners also are taking into account that Aug. 21 is the first day of classes at MU, McConachie said.

In coordination with the announcement, a new website dedicated to the eclipse, comoeclipse.com, went live Thursday. The site allows businesses and organizations to submit events that might interest visitors.