

Indiana Academe

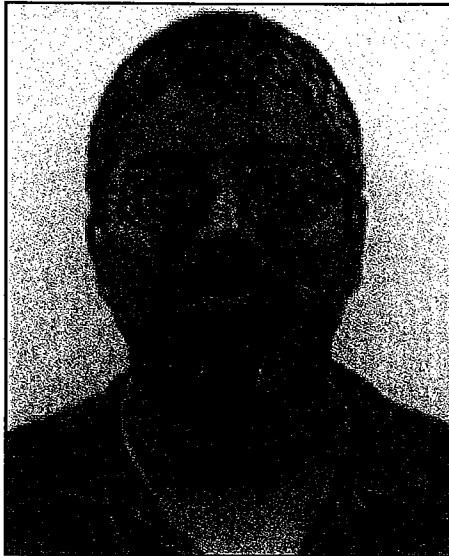
Fall 2004

Newsletter of the Indiana conference of the American Association of University Professors

Presidential Update

The Indiana Conference of the AAUP has come a long way since its inception. Our members serve on numerous state-wide committees ranging from the state task forces on higher education costs to the taskforce on articulation and transfer of credits. We are seen as the spokespersons for faculty on issues of higher education in the state. For the first time in our organization's history, we had a sitting governor, Joe Kernan (D) speak at our Spring conference; and as this newsletter goes to press, we have also been successful in getting the Republican gubernatorial nominee Mitch Daniels to speak at our Fall conference. For a professional, independent, non-partisan organization representing academic standards and values, these are important achievements. We would like to believe that this means that both political parties in Indiana understand the importance of higher education (from community colleges to flagship universities) in the economic advancement of Indiana and the need therefore to seek the input of the faculty in the state's institutions of higher education, both public and private.

In a sense, all we are asking is the opportunity to make that input. What we have to contribute has always been above partisan values. Faculty input means objectivity and expertise and can only help the economic advancement of the state. Our input at this critical juncture in Indiana's development is important. As the traditional manufacturing economy declines, this state is at a crossroads. Both parties are aware that affordable and high-quality college education is the cornerstone of economic restructuring. However, with declining state appropriations, the cost of higher education is being increasingly shifted to the students or their parents as the case maybe. This shift has attracted the attention of lawmakers. Sen. Luke Kenley -R sponsored a bill last year which attempted to cap the tuition increases in state schools. The bill eventually died due to strenuous lobbying from university administrators but the outcome of that effort has been to push the issue front and center and has prompted the creation of the Governor's taskforce to study tuition. A long time IN-AAUP member from Purdue, Otto Doering serves on the task-



Indiana AAUP President
Kizhanipuram Vinodgopal

One significant factor that increases costs in higher education is the same as in other public institutions and that is raising medical costs, which is reflected in rising insurance premiums for the employee, both faculty and staff. Against a backdrop of 1-2% raises which barely keep up with inflation, these increases in health care premiums constitute a pay cut. There is enough anecdotal evidence to suggest that the cost of insurance premiums is making early retirement unattractive for older faculty exacerbating the difficulties for new Ph.Ds to find academic jobs. Managing and limiting rising health care costs is an issue that is important for us and we plan to work closely with our friends in the state legislature on this issue. The legislature in its last session enacted a bill co-sponsored by State Senator Vi Simpson and several others passed a bill to implement a prescription drug purchasing program for state employees and other governmental entities including state universities. The State of Indiana has hired Anthem as the pharmacy benefits manager and one has to wait and see the outcome of this critical venture. Several years ago when health care costs were similarly outpacing inflation, State Representative Vernon Smith D-Gary introduced a bill which would require all state employees including universities to create a single medical insurance pool. That bill

passed the House but died in the Senate. If the prescription drug bill is any indicator, then similar legislation should be received more favorably in the coming year.

While costs as well as rates of increase of tuition in Indiana are less relative to the other Great Lakes states, like all rational people, we support the need for efficiency in public institutions. But it is unlikely that improvements in efficiency are going to be enough to close current revenue shortfalls. Nobody on either side of the aisle wishes to increase taxes, but the shifting of the burden from the state to parents and students is in effect a value added tax-especially as the tuition is higher at Bloomington or W. Lafayette compared to the Community Colleges. Both legislators and governors must recognize that invest-

Legal defense fund set up

Friends and colleagues of ousted Vincennes University journalism professor Michael Mullen have established a legal defense fund.

The fund has been set up to help the Mullens defray the costs of litigation that have arisen from the university's decision to remove him from his position as chair of the Journalism department and Adviser/Publisher of the Trailblazer student newspaper.

Contributions may be sent to:
Mullen Legal Defense Fund
P.O. Box 460
Vincennes, IN 47591

For the full story on Professor Mullen's removal from Vincennes University's Journalism department, see page 3. The litigation has been initiated and legal fees are mounting. So please give any help you can afford. Checks can be sent to the P.O. Box listed. Names of donors will not be published.

ment in higher education is needed at every level from training the workforce for the jobs of the 21st century and harnessing the new technologies of the 21st century to create the jobs and without that investment, we will remain extremely vulnerable to the vagaries of the manufacturing economy. Such investment on higher education has value which extends decades beyond the original cost.

Clearly, the state has to generate greater revenues to even maintain current investment levels. Ideally, we would like to

grow our way out of this current low revenue period, but we have to invest to be able to grow. Such investment in higher education includes improving the wages of our Community College faculty and giving them the same governance rights accorded to their colleagues in the 4-year Universities. A comparison of Community College faculty salaries in Indiana, Ohio and Illinois will be available on our website <http://www.inaaup.org> and what it will show is that despite all the rhetoric from both sides of the aisle, the community college

system in Indiana requires major investment in faculty salaries and infrastructure to ensure that students are getting the same product that their counterparts in Illinois and Ohio are receiving.

Last but not least, this issue is devoted to responses from the two gubernatorial candidates to questions we sent them on issues in higher education in the state. We hope that our readers will find these responses meaningful as they make their choices in the upcoming election.

Candidates respond to AAUP questions on higher education issues

AAUP - What is your opinion of placing a faculty member on the board of trustees at state supported colleges and universities in Indiana?

Governor Joe Kernan (D) - I enthusiastically support the idea of having a faculty member serve as a non-voting Trustee on each of the Boards of Trustees of our public universities. Such an arrangement avoids even the appearance of a conflict of interest, while giving other Trustees direct and formal access to faculty expertise in all of their meetings and deliberations. Faculty Trustees will also help us identify ways to contain the costs of higher education without harming the essential academic mission of our universities, and will provide us another way to bring the talents of our world-class professors to bear on the economic challenges and opportunities facing Indiana. I promise not to rest until legislation providing for non-voting faculty Trustees comes to my desk for my signature.

Mitch Daniels (R) - I would support including a faculty representative on the boards of trustees, as a non-voting member. This would avoid any conflict of interest concerns that would arise with regard to issues relating to faculty conduct, compensation, tenure and promotion, but would allow for the faculty to contribute to all of the discussions of the boards. Obviously, faculty input is critical to the governance of our institutions of higher learning.

AAUP - Where does higher education rank on your list of priority funding targets?

Kernan - Given the national recession and severe cutbacks higher education has faced in many other states we have done our best to make higher education a priority in Indiana. We have the best schools in the country and I am committed to making sure we make higher education a top priority when it comes to funding.

Daniels - Higher education ranks high among spending priorities. However, the state's bankruptcy leaves nothing off the table for review. I would encourage universities to engage in a careful review of spending and programs and would stress a rigorous prioritization of their budgets. If I am elected governor, such a review will be underway immediately with all existing state agencies and programs in order to address the state's fiscal crisis.

AAUP - What is your plan for dealing with the growing cost of higher education?

Kernan - I have been very concerned about the rising cost of tuition and ensuring that our colleges and universities are affordable. For two years I have asked the universities to show restraint and cap tuition at four percent. I have also started a college affordability task force to develop a long term strategic plan. Otto Doering is the faculty member on the task force.

Daniels - I have suggested a number of ways in which costs can be contained, including more effective procurement-pooled purchasing agreements among all state universities for goods, services, and published materials. I would also convene regular meetings of Indiana's university presidents to review the schools' progress in new business formation, patents, and technology transfer revenues. Internally generated revenues will help lower tuition costs. Indiana ranks 52nd in the nation in federal education grants. To increase our share of federal grant dollars overall, I've proposed the creation of a new Office of Federal Grants and Procurement in the Governor's Office. This office would identify and better equip state agencies and institutions, local governments, and businesses to compete for and secure federal grants. Universities should be encouraged to increase fundraising in non-restricted funds and endowed programs as well.

AAUP - Are you satisfied with the current level of state support for college students attending public institutions of higher education in Indiana? If not, what percent of costs should be borne by the student? What percentage by the state?

Kernan - The funding for state financial aid has tripled in the last ten years. I will continue to be committed to making college affordable for all Hoosiers.

Daniels - For fiscal year 2004-05, total general funds and dedicated state grants in aid were nearly \$190 million. While I believe we need to do all we can to see that access to higher education is available to any student who desires it and who works toward that goal, aid can come in the form of scholarships, grants, work study and student loans. According to the American Council on Education, students who take out student loans are more likely to graduate than those students who do not. With lower interest rates and tax deductibility of student loan interest, students are better positioned today to borrow to pay some portion of their tuition and expenses than was once the case. Investing in a postsecondary education is an investment for a lifetime and will add, on average, well over \$1 million to a person's earning potential.

Vincennes University Journalism Program Loses Chair in Apparent Free Speech Violation

Vincennes University's Journalism program recently lost its student adviser/publisher for the Trailblazer, the two-year school's student newspaper, and the chair of the department.

Interim Dean Mary Trimbo decided that the English department, where Journalism professor Michael Mullen is tenured, needed his "expertise" after eight successful years in Journalism. Mullen's demotion means he goes back to the English department to teach five sections of freshmen writing this fall.

In 1996, Mullen was asked to accept the position when Professor Fred Walker, Jr., founder of the program, retired. Mullen's doctoral work at the University of South Carolina along with his previous teaching experiences in journalism, mass communications, and photography were factors that led then-Dean Philip Pierpont to ask him to take the position. "That's the irony now," Mullen states. "After seven years teaching in English, I had become fairly comfortable

these past eight years, the Trailblazer has won numerous awards. Now after a year of controversy, Mullen finds himself back in English, grading freshmen essays. What is the real reason for Mullen's removal?

Veteran VU employee, Martha Smith, who is a graduate of the VU and St. Mary of the Woods journalism program herself and who has been Mullen's lab assistant for the past eight years, wrote this in her letter of resignation to Trimbo, protesting Mullen's removal:

"Mike and I have become a team: a GOOD team, a team I am sad to see break up, but if he is not chair of the Journalism program in August, I won't be at VU either." What Smith knew, as do most people on the VU campus, is that Mullen is back in English because of his refusal to censor his students. As Smith told a reporter for the local paper, I have not talked to anyone who believes this happened because of a need in the English department...They transferred him because the staff caught the leaders lying and they printed it." Mullen encouraged students to seek answers to questions that the leaders did not want to discuss, and he allowed them to print stories that were often deemed unflattering to the administration. When an entire press run of the Trailblazer was stolen by the Student Senate president and the Student Trustee, who were caught in the act, the administration refused to do anything. In fact,

Vincennes University attorneys said that they determined that it wasn't really theft since the papers were free. When a Trailblazer reporter learned that a criminal investigation had been allegedly halted by a high-ranking administrator and Board of Trustees member, the students ran the story. When Vice-President of Financial Services and Government Relations Phil Rath refused for nearly three months to comply with open records laws by supply-

ing a student reporter with a copy of the budget for a story he was working on, the reporter was called into the Interim Dean's office and questioned about his motives. The editors were also called into the Interim Dean's office and criticized by her for running a story that suggested Interim President John Gregg was inexperienced (he was) and a story about the drop in enrollment that year (it had). When the Interim Dean also told the staff that they would not be allowed to run their annual April Fools' Day issue that year, Mullen reminded her that she didn't have the authority to censor the paper and that running an April Fool's issue has always been a decision made by the editors and it would be again this year. It ran, and to much local acclaim, even from Gregg, who was gently lampooned in the issue.

A little over a month later, Mullen was moved back to the English department by the Interim Dean who claimed a need for him there (the English department chair had not even been consulted about Mullen's move, and in fact, found out on the same day that Mullen did). Professor Mullen has begun legal proceedings against Trimbo and the University and has engaged the services of the Indiana Conference attorney, Ida Lamberti, who, ironically, successfully represented VU professors Bernard Verkamp, Jeff Huxley, and Doug Powers, in their own First Amendment suit, settled in 2000.

As a 2004 alumnus of the VU Journalism program and now a junior Photojournalism major at Ball State, I would like to say that I stand behind the assertion that Mullen was forcibly removed from his position in retaliation for not censoring his students. I thank and applaud him for his courage. As he once quipped to the editors early one morning after the paper was finally put to bed, "You guys ought to be paying the school for the experience you're getting through this whole mess." We all laughed at the time, but looking back now, I realize just how right he was. Thanks, Professor Mullen.

Matt Berry
Ball State University



Rebecca and Michael Mullen, Vincennes University, lead a discussion on academic freedom cases at the fall meeting.

there, but at the time I figured that if the Dean thought I could do this, I felt confident that I could too." Mullen attended workshops, conferences and even took several desktop publishing courses in order to bring himself, the program and the Trailblazer up to speed. He has been a Board member of the Indiana Collegiate Press Association, established himself as a respected Journalism professor among his state colleagues, and, under his leadership

Campus Bill of Rights

Preamble: The prime purposes of the university are the production of new knowledge through disciplinary research, creativity and scholarship and the transmission of knowledge through teaching and learning. These interdependent functions constitute an academic community. In turn, almost all the following rights are means to the end of maintaining a vibrant academic community. Some implications are: a) Research, cre-

ativity, and scholarship should not be subordinated to the goal of teaching and learning nor should teaching and learning be subordinated to the goals of research, creativity, and scholarship; b) the "unbundling" of teaching and research, in which teaching is assigned to lesser paid, lesser qualified contingent faculty, should be resisted; c) The Board of Trustees, administrators, chairs, faculty, and student government leaders should view themselves as servant-leaders on behalf of sustaining an

academic community.

1. Academic Freedom.

All members of the academic community are entitled to full freedom in research, creativity, and the publication of its results. Academic freedom also applies to teaching, and extramural speech. The progress of knowledge requires that university faculty must be left free to advance new truth claims and to check their validity in relation to the paradigms that constitute each discipline's field of inquiry.

It follows that faculty—with oversight provided by the university administration and Board of Trustees—should control the university curriculum and the hiring, promoting, and tenuring of faculty. The fullest academic freedom requires the absence of fear of retaliation from authorities, including administrators, chairs, supervisors, and in the case of students, faculty themselves.

2. Tenure.

A corollary to academic freedom and the maintenance of an academic community is job tenure for faculty conferred by disciplinary peers and protected by the university—with appropriate checks and balances from the administration and the Board.

Tenure is a protection against sanctions on academic freedom originating from inside or outside of the academic community.

3. Shared Governance.

Shared governance is justified by the need to hold all members of the university community to the values inherent in an academic community. Shared governance requires the fullest possible representation and involvement of all university and academic interests in decision-making. Shared government functions best when the primary authority of the faculty in academic matters is checked by the advisory authority of the administration and the primary authority of the administration in university operations is checked by the advisory authority of the faculty. Both are checked by the Board of Trustees. Checks and balances guard against the corrupting tendency of the concentration of power.

Implications: a) Faculty should be represented on the Board of Trustees; b) Contingent faculty (adjuncts) need to be represented in the university governance process once they have been granted adequate protections, including due process rights; c) administrative decisions must not be made before consultation with faculty and other members of the academic community.

4. Freedom of Information.

The university and the Board of Trustees must guarantee open meetings and full disclosure and publication of the discussions and the results of these meetings except in personnel

matters.

In the interest of maintaining a vigorous public opinion, the university must make its communications media open to diverse views, including those that dissent from established policies, with the goal of fostering the fullest possible discussion on all issues.

5. Rule of Law.

The University Handbook must be respected by all members of the academic community. Within university units the established rules and procedures should be in conformity with the Handbook and be respected by the members of that unit.

The rule of law is not merely a procedural prescription, but is also substantive in its implications. Thus, all course offerings, scheduling, tenure, dismissal, grievance, and other decisions by administrators and chairs must adhere to the spirit as well as the letter of the Handbook and by-laws.

6. Due Process for all members of the university community.

When the rule of law is violated by arbitrary or capricious behavior on the part of administrators or faculty charged with administrative responsibilities, the capacities of members of the university to do scholarly work and to teach and learn are impaired. Faculty, students, and others require recourse, when they feel their due process rights are violated. Mediation and grievance hearings should be available to all interests in the university community, including contingent faculty and students. Due process requires the right to appeal the processes and decisions relating to tenure, promotion, dismissal, sabbatical leaves, and other areas.

7. Freedom from Discrimination based on race, sex, national origin, religion, sexual orientation, and political views should be guaranteed to all members of the university community.

Freedom from discrimination includes hiring, promotion, tenuring, and dismissal and all other university practices. Freedom from discrimination includes the goal of diversity in faculty hiring. The pursuit of diversity should supplement rather than over-ride academic hiring criteria.

8. All members of the university community should be free to organize and collectively bargain. All employees, including contingent faculty, graduate teaching assistants, and staff, have the right to free association and that includes the right to organize unions without fear of retaliation. Whenever a majority of employees has expressed its desire to be represented by a union or professional association—whether by petition, union card or voting in a union election—the university should recognize the union or association and collectively bargain with it.

Educational institutions should not engage in protracted legal actions to thwart these democratic decisions. The university should adhere conscientiously to fair labor practices as determined by federal and state standards.

9 The university should respect the right to a fair wage for all members of the university community, including contingent faculty, staff, and graduate assistants as well as regular faculty.

It is essential that the wage for entry level and pre-tenured, tenure-track faculty be sufficient to attract and maintain high quality teachers and scholars. However, for most tenured faculty, age, rank, experience, and professional accomplishments largely eliminate them from the market for open positions—which tend to be entry level—at comparable, peer institutions. For these faculty, institutions of higher education should implement a "fair wage," defined as the average level for similar employees in peer institutions. For non-professional staff a fair wage is the wage at or above the level of a "living wage," defined as 110% of the federal poverty level for a family of four. For contingent faculty the fair wage is defined according to AAUP standards as a salary prorated in relation to the salary of similarly qualified full-time faculty performing similar functions. Both non-professional staff and contingent faculty should have access to benefits.

**The Campus Bill of Rights was passed by the Senate of Indiana State University in 2003. It was originally written by the ISU chapter of AAUP.*