

## President's Message

**Michael Harkins**  
President, Illinois AAUP



Since our Spring 2016 meeting, the Officers and Board have been active in supporting our Chapters and higher education faculty members throughout Illinois. In June, your officers conducted a Shared Governance workshop at North Park University in Chicago. Chapters had the opportunity to work with AAUP presenters. The workshop faculty had significant experience with Shared Governance models in higher education settings. Strategies were also presented to assist Chapters in strengthening their shared governance roles.

This past October we sponsored a workshop at Dominican University in River Forest. Howard Bunsis of the AAUP CBC met with representatives from four of our Chapters to help them analyze their institutional budgets and determine the current financial health of each institution. We will hold one additional Academic Freedom workshop in the Chicago area in early February 2017. Please watch for an announcement on our website.

Our Committee A continues to assist faculty members confronted with challenges to academic freedom, tenure and employment. This Committee has been very effective in upholding the principles of AAUP and defending the rights of faculty. Last month the Conference submitted a grant application to National and the Association of State Conferences (ASC) to help the Illinois Conference in outreach activities. This included Chapter development, workshops and keeping current on local, state and national legislative issues affecting higher education.

Next April the Illinois Conference will hold its Annual Meeting on Saturday, April 22, 2017. This day-long conference, open to all higher education faculty, will be held at Columbia College, 618 S. Michigan, Chicago. The Conference will focus on current issues facing higher education in Illinois as a result of the existing budget crisis and its impact on faculty. In early 2017, we will announce the conference theme, speakers and sessions for the day. Please look for this information on our website.

As we move toward the 2017 Spring semester, the board members of the state Conference and Chapter Chairs will continue to work in the interests of our higher education faculty to enhance academic freedom, promote shared governance, and defend faculty rights.

## Nomination of Delegates to the AAUP Meeting

The Illinois Conference of the AAUP seeks the nomination of members in good standing as Delegates or Alternates to both the National meeting and the Association of State Conferences meeting June 15-17, 2017 in Washington, DC. The Illinois Conference may elect up to two Delegates and two Alternate Delegate to the Annual Meeting and four Delegates and two Alternates to the Assembly of State Conferences (ASC). Illinois members of the AAUP who wish to offer nominations or self-nominate should forward these nominations to Leo Welch of the Illinois Conference by regular US mail or email at the following addresses: Leo Welch, Illinois Conference AAUP, 14 Treetop Lane, O'Fallon, IL 62269, lk-welch@att.net. All nominations are due to the Illinois Conference of AAUP by midnight April 18, 2017. All delegates must pay to register for and attend the meeting in June. In submitting a nomination or self-nomination please include the name, institution, Delegate position sought, either National meeting Delegate or Alternate or ASC Delegate or Alternate, and email address of the individual nominated.

Illinois conference of the American Association of University Professors Fall 2016 ilaaup.org



## Higher Education after the 2016 Election

The AAUP and the AAUP Collective Bargaining Congress have never endorsed or supported a candidate for president of the United States or otherwise engaged in partisan political activity on the national level. For over one hundred years the AAUP has vigilantly defended the professional rights and the academic freedom of all those who teach in higher education, irrespective of their political or other views, popular or unpopular, leftist or rightist. It would be foolish, however, to deny that most college and university faculty members did not support the election of Donald Trump. Many no doubt fear that his election threatens some of the core institutions of our democracy and may be the greatest threat to academic freedom since the McCarthy period.

Certainly, Trump's campaign has already threatened academic freedom. His remarks about minorities, immigrants, and women have on some campuses had a chilling effect on the rights of students and faculty members to speak out. At some events Trump held on university campuses, students who opposed him said they were harassed or threatened. His call for an "ideological screening test" for admission to the United States could make it difficult for universities to attract students and scholars from other countries and to engage in the international exchange of ideas so vital to academic freedom. In addition, Trump has vowed to appoint Supreme Court justices like Antonin Scalia, who would cripple public employee unions by overturning their established right to collect fees from the nonmembers they must serve. With more than half the faculty now barred from the protections of tenure, unionization may be the only remaining protection for academic freedom available to those instructors. Lastly, Trump's denial of climate change and, indeed, of the validity of science itself assaults the very core of higher education's search for knowledge.

But the problems facing higher education today and the growing assault on the professionalism and freedoms of faculty members over the past several decades can hardly be attributed to the results of a single election. Many of these problems stem from ill-conceived policies developed and implemented on a bipartisan basis. As a candidate, Donald Trump did not propound clear and detailed policy proposals for higher education. We therefore urge him and his supporters in the Congress to listen to the voices of all faculty members and other educational leaders and endorse policies aimed at restoring our great higher education system as a common good for all Americans, while protecting the academic freedom and shared governance that made our colleges and universities the envy of the world.

We in the AAUP and AAUP-CBC pledge to redouble our efforts to

- Oppose the privatization of our public higher education system and fight for higher education as a common good, accessible and affordable to all.
- Oppose discrimination on the basis of race, gender, sexual orientation, religion or national origin and fight for an equitable and welcoming educational environment in which all can freely and safely learn, discuss, differ, debate, and grow.
- Oppose attacks on unions and the economic security of college and university faculty and staff and fight for expanding and strengthening the rights of all faculty members-- tenure-track, contingent, and graduate employees--to organize and bargain collectively.
- Oppose violations of academic freedom and of the broader rights to free expression in the academic community and fight for strengthened protections for and renewed commitment to the principles of the 1940 Statement of Principles on Academic Freedom and Tenure and the 1966 Statement on Government of Colleges and Universities.

We recognize that faculty members are divided by discipline, by institutional type, by employment status, as well as by race, religion, gender, and politics. But now is the time for us to unite, organize, and fight, not only for ourselves but for the common good, not only by ourselves but with allies both inside and outside of academia.

If you're not already a member, please join us in this fight. The future is still in our hands. There is nothing to be gained and much to be lost from resignation or despair.

— Rudy Fichtenbaum, AAUP president, Howard Bunsis, AAUP-CBC chair, and Henry Reichman, chair of Committee A on Academic Freedom and Tenure



Howard Bunsis

American Association of  
University Professors of Illinois  
3235 W. Hollywood Ave.  
Chicago, IL 60659

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# The Death Spiral in Public Higher Education

By Leo Welch

Rising tuition, decreased state funding, and financial pressures are leading to a “death spiral” for public higher education, according to University of Illinois professor Christopher Higgins. In a lecture at Eastern Illinois University earlier this year, Higgins said many taxpayers view higher education as a means to obtain credentials for the job market and view students as interested in the private gain of potential salary. These taxpayers, unfortunately, reject the view of education as a public good.

In Illinois, state funding support for higher education has been declining since 2002; there is no sign that this decline will be reversed. The current governor, Bruce Rauner, has essentially cut state support for colleges and universities 100 percent. He favors privatization of education and apparently doesn’t care if the public higher education fails. The current budget stalemate between Governor Rauner and House Speaker Michael Madigan shows no sign of resolution.

The lack of state funding has impacted the following Illinois community colleges and universities:

- Chicago State University – CSU administration ordered all employees and students to turn in keys by Monday, April 4, 2016 because CSU had not received state money for 10 months. In fall 2016, only 86 freshmen enrolled. There was a total student enrollment of 3,578 compared to 7,362 in 2010 — a trend that cannot be maintained. This enrollment drop is the highest of the 12 public universities in Illinois.



John A. Logan College



- Heartland Community College, Normal – Heartland proposes to cut 23 positions although several of the positions involve early retirement. Tuition increases are part of the plan. No changes in athletics are planned.

- Northeastern Illinois University, Chicago – Last summer 60 employees were laid off. Hundreds of current employees, including faculty, staff, and administrators, are taking furlough days resulting in a \$205 per person cut to individual paychecks. The university has used its reserves to pay the \$6.5 million in Monetary Assistance Program grants to students that the state has failed to fund.



- Eastern Illinois University, Charleston – The faculty union, an Illinois Federation of Teachers affiliate, has voted to accept a salary deferral plan. The plan reduces base salary 2.5% for those that earn \$50,000 or less, 5% for those with salaries of \$50,001 - \$75,000, 6.5% reduction for those with salaries of \$75,001 to \$100,000, and 7.5% reduction for those with salaries of \$100,001 or more. If state funding does come in, every dollar that Eastern receives will go to repay the deferrals. If Eastern gets no funding in FY 2016 and FY 2017, there will be no payback.



Things are not looking better for EIU since their fall 2016 enrollment dropped by 14%.

- Harper College, Palatine – The administration has notified 20 full-time employees that they will be out of a job as of June 30, 2017. These layoffs will save the college \$3.5 million. Harper expects to save an additional \$1.5 million by reducing travel, supplies, and spending on printing. Illinois owes Harper \$8 million plus \$1.5 million in Monetary Awards Program grants.



- College of Lake County, Greyslake – The administration announced that 20 staff positions will be eliminated. President Jerry Weber said “if the budget impasse continues, as many as 40 jobs will be cut.” The cuts are an effort to make up for \$8 million in funds College of Lake County did not receive from the state.



- Blackhawk College, Moline – The board was told that Moody’s Investor Service has lowered the college’s bond rating one step. Three important factors in the lower rating were 1) declining enrollment, 2) not receiving state aid since last June, and 3) the possibility of the state transferring its pension liability to colleges and universities. Blackhawk has a debt level of \$29.4 million.



- Southern Illinois University – On October 17, 2016, SIU President Randy Dunn stated that in the current era of retrenchment the university will focus on reducing administrators, increasing grassroots political advocacy and closing the expense gaps in some programs that are not self-sustaining. Dunn calls this “reshaping the state-university covenant.”



- University of Illinois – U of I had a stopgap budget for the 2016 fall semester, but it fell short by about \$750 million. On November 2, 2016, U of I President Timothy Killeen announced a five-year funding plan to be presented as legislation to the Illinois General Assembly. Although the bill has not yet been introduced, it is expected to include performance metrics in exchange for full state funding. As part of the performance metrics, the university is expected to agree to an annual report card on graduation rates, student retention, financial aid and other data. Currently, the U of I has a salary freeze for about 12,000 faculty and 2,800 civil service employees. Despite the budget challenges, the university had a record fall enrollment of 77,073 students for its three campuses at Urbana, Chicago and Springfield.



It remains to be seen whether performance-based funding as proposed by the U of I will be seen as a model for adequate state funding for other public colleges and universities. If the U of I plan is accepted by the state legislature, this approach could set a possible trend for the General Assembly to determine curriculum and other components of the higher education mission. Politicians might be making educational decisions normally made by faculty and educational professionals.

## Chicago State University Students Speak Out Against Purge of President

In September, the Chicago State University Board voted to pay President Thomas Calhoun Jr. \$600,000 to leave after nine months on the job. Below, via the CSU Faculty Voice, are excerpts from statements by Chicago State students during the public comment portion of the September 16 Board meeting:

Mary Bunch: “We believed in Dr. Calhoun, he made us feel that we were worth something. I put my feet on the pavement down at the state of Illinois building . . . to keep these doors open. Dr. Calhoun gave us this inspiration and for Dr. Calhoun to be dismissed, the students were not, I wasn’t, even informed, it’s as if we do not make a difference at this university. This is our school.”

Karen Smith: “I’m here because I care and my question to you is do you care? Do you care . . . about the future of this university and if you do care what’s the plan? If President Calhoun wasn’t a part of, what is the plan? What actionable solutions do you have in place to turn CSU around? If you cannot truthfully and honestly answer the question, do you care? Then the next item on your personal agenda needs to be to respectfully submit your resignation.”

Michael Wiegand: “I’ve thought about what I would say in front of you, I thought about how I would say it, and standing in the back listening to the last couple comments, it doesn’t matter, right now we have no proof that you guys are going to listen. You need to understand why this is happening . . . I’m here talking to you guys about somebody who was unequivocally respected, well respected, who is, sorry ‘resigning.’ When you go home, . . . look yourselves in the mirror and [ask] are you doing what’s best for the school? I don’t think any of us believe that, and . . . perceptions become reality . . . and the perception is that right now the school is not being run by you folks in the way that is best for the university, and I think you need to change that.”

Andre Fredricks: “What I’ve been seeing this entire time of this board meeting has been rather shocking and a little bit disgusting, I’m looking at the student representative giving you the voice of the students and it’s continuously being drowned out by those who are supposedly for the students. . . there are a bunch of different things on

campus that need attention, you have a ravine in front of Douglas hall, you have . . . leaking pipes, but yet there was money to buy out President Calhoun’s contract. It’s gotten to a point where the Board of Trustees has lost the trust of the faculty, the staff, some of the administrators, and most importantly, what makes up a university, the students. And honestly, the only way I can see this being fixed is I challenge you to reinstate President Thomas Calhoun.”

Adrian Mercado: “As a leader, I’m having a hard time seeing the future of Chicago State because of this. As a resident assistant in the dorms, how do I talk to my residents and people that come to me for help? . . . about the future of Chicago State University? . . . they want to know, are we going to be here next semester? We found comfort in president Calhoun, we found that was the light we needed . . . I commend you guys for hiring him in the first place, but for you guys to take [him] away, just know that in the future . . . the press, the media, it’s going to be ten times worse.”

Charles Preston: “I’m a senior in African American studies, a discipline that’s being gutted. African American Studies is suffering, the social sciences at this university [are] suffering, and it’s a shame that is never raised in these meetings. As this trustee board exited to executive session, I approached Trustee Smith, Bishop Trustee Smith, he’s a Bishop, and I said ‘don’t laugh at our concerns. It’s disrespectful.’ He told me in response, and this can be confirmed by multiple sources, ‘don’t let the white man control you.’ Now I don’t know if he believes that a black student at this university can’t conceive their own thoughts and concerns, and state their position, I don’t know . . . the inspiration for these racially charged remarks, but I know it’s a level of disrespect. When someone that has so much power talks down to a university student, in a disrespectful manner . . . the fact that he’s laughing and on his phone and being disrespectful and not taking

us seriously speaks volumes, volumes about the condition of that board, what’s on that board. We should get behind Paris Griffin . . . she does so much for this university and for them to disregard her thoughts, she put in the work and they disregard it, so that speaks volumes about this board; and they should be ashamed of themselves. So, I don’t want to speak to them, we deserve an apology, an open public apology, I want to read it in the Tribune . . . that they’re sorry for not respecting the wishes of students, faculty, staff, and administration of this university. That is what we deserve and what we shall be demanding.”

Christopher Glenn: “I was always told to look the devil in the eye. I’m going to try to paint a picture for you. We go back to January, the heralding of a new era for Chicago State University, A new leader arises, a breath of fresh air, a warrior, who is ready to lead us into the next era . . . a proud man, a strong man, Dr. Thomas J. Calhoun. So let’s fast forward nine months, ‘til Wednesday, Chicago Tribune reports ‘Chicago State’s new president will now be resigning due to issues with the Board of Trustees.’ So we go from shining new era in January to the end of an era in September. In 9 months we go from fighting a war as a collective to the war being on the inside, so the question is for all the trustee members, were you ever really interested in the war outside of the school? Or was it your intention to just have your own needs met? So, let me paint the next headline for you that I see in the . . . coming months, ‘Inept board members are the cause of the closure of Chicago State University.’”

**Write to Illinois Academe**  
 Illinois Academe is seeking articles, opinion pieces, chapter news, announcements, and letters to the editor. Email Illinois Academe editor John K. Wilson at [collegefreedom@yahoo.com](mailto:collegefreedom@yahoo.com).

# Gov. Rauner Appoints Right-Wing Crackpot to Represent Faculty on IBHE

By John K. Wilson

John Bambenek has been appointed to the Illinois Board of Higher Education (IBHE) by Gov. Bruce Rauner (but must still be approved by the Illinois Senate, which is not expected to act until 2017). Bambenek (an adjunct who teaches classes on cybersecurity at the University of Illinois at Urbana-Champaign) is listed as the sole “representative of faculty” on the IBHE.

Rauner wanted someone far too gutless to ever criticize the governor’s failure to fund higher education in Illinois, and Bambenek is a dutiful right-winger, telling the local newspaper: “When someone wants my opinion on what the higher ed appropriation should look like, I’ll be happy to work with staff to figure that out.” That’s not a representative of faculty; that’s a representative of Rauner.

Bambenek has a disturbing record of seeking to suppress freedom of speech. In 2007, Bambenek tried to get the federal government to shut down free-wheeling opinions on the liberal website Daily Kos by filing a Federal Election Commission complaint accusing it of being a political committee rather than a blog site. Everyone, liberal and conservative, mocked this very stupid and repressive idea. The National Review called it “an outrage against the First Amendment that every conservative should fight vigorously.” Red State called Bambenek “woefully uninformed” and noted, “This complaint is a sorry attempt to use government institutions to silence opponents.”

Then, in 2008, Bambenek tried to get Daily Kos founder Markos Moulitsas arrested for voter fraud by filing a criminal complaint with the attorney general of Michigan. Bambenek claimed Moulitsas was “felonious” for writing a blog post urging, “Let’s have fun in Michigan” by encouraging Democrats to vote for Mitt Romney in the open Republican primary.

As the representative of faculty on the IBHE, Bambenek’s past views expressed about higher education are directly relevant to his qualifications. Bambenek denounced the University of Illinois policy that said “discussion and expression of all views is permitted within the University.” Bambenek responded, “This sounds all well and good — until it becomes clear that some people use these policies to enforce certain campus orthodoxies.”

The free speech Bambenek objected to included a talk by “a left-wing troll” (Ted Rall), a panel discussion that supported gay marriage, and a textbook that claimed “the traditional view of families and marriage is no longer sufficient.” Bambenek also opposed campus anti-discrimination rules because they are “ensuring that various ‘heretical’ ideas are repressed.”

Bambenek denounced campus unions: “unions on this campus are nothing more than an added expense placed on taxpayers and students. University unions, and public-sector unions in general, have largely hijacked the legacy of the unions from the days when they were necessary.”

In another column, Bambenek denounced “The misuse of ‘academic freedom’ as a bludgeon to impose academic serfdom.” He complained, “Instead of talking about intelligent design, the acolytes of Darwinism engage in character assassination.” Yes, that’s right: Bambenek demanded the teaching of creationism in college.

He proposed limiting academic freedom to only the right of researchers to explore ideas, and the right of students to “determine for themselves what is sound.” He explicitly rejected academic freedom in the classroom: “Academic freedom should not be a right of classroom instructors to turn their podiums into pulpits.” Bambenek concluded his column by declaring that universities that are too “liberal” ought to be shut down: “liberal academia needs to engage with the world and ideas around it, or we will close down these bastions of failed thought.”

Rauner has been trying to destroy Illinois higher education from the moment he became Governor. So it’s not surprising that he would appoint as the faculty representative on the IBHE someone who is anti-faculty, anti-free speech, anti-union, anti-academic freedom, anti-science, and anti-academia. Bambenek was not chosen for this position in spite of his loony ideas and efforts to repress freedom; he was chosen because of it.

Faculty in Illinois should not accept Bambenek as their representative on the IBHE, and the people of Illinois should not accept Bambenek’s power over higher education.

## Illinois Legislative Report By Leo Welch

### HOUSE BILLS

House Bill 4330, Wheeler (Martinez), PA 99-0600

Amends the School Code. For admissions purposes, requires each public university in the State to accept the State Seal of Bilingualism as equivalent to 2 years of foreign language coursework taken during high school if a student’s high school transcript indicates that he or she will be receiving or has received the State Seal of Bilingualism. Provides that each public community college and public university in the State shall establish criteria to translate a State Seal of Bilingualism into course credit based on foreign language course equivalencies identified by the community college’s or university’s faculty and staff and, upon request from an enrolled student, the community college or university shall award foreign language course credit to a student who has received a State Seal of Bilingualism. Requires the State Board of Education’s rules to ensure that the criteria that pupils must achieve to earn a State Seal of Bilingualism meet the course credit criteria. Requires students enrolled in a public community college or public university who have received a State Seal of Bilingualism to request course credit for their seal within 3 academic years after graduating from high school.

House Bill 5561, McSweeney (Connelly), PA 99-0611

Amends the Public Community College Act. Creates the Accelerate College pilot program. Authorizes a community college district board of trustees to enter into an Accelerate College educational partnership agreement with any school district wholly contained within the community college district’s jurisdiction. Provides that an agreement must offer a group of high school students the right to take community college courses without paying for tuition of those courses. Provides for the size of the program. Allows community colleges to charge fees limited to the actual operating costs and related student activities. Provides that any coursework completed by high school students in a community college shall be transferable to all public universities in this State on the same basis as coursework completed by community college students who have previously earned high school diplomas. Requires the Illinois Community College Board to study the effectiveness of the program and to issue an annual report. Repeals the provisions 36 months after the effective date of the amendatory Act. Amends the School Code to make conforming changes. Effective immediately.

### SENATE BILLS

Senate Bill 579, Martinez (Hernandez), PA 99-0734

Amends various Acts related to the governance of public universities in Illinois. Provides that the student members of the Boards of Trustees shall not be deemed to have a direct conflict of interest in and may vote on any item involving the employment or compensation of the Chancellor at any campus or President of the University or the election of officers. Effective immediately.

Senate Bill 2155, Cunningham (K. Burke), PA 99-0691

Amends the Public Community College Act. Provides that recognition shall include review of compliance with applicable State and federal laws regarding employment contracts and compensation. Provides that the Illinois Community College Board shall convene an advisory committee to review the findings and make recommendations for changes or additions to the laws or review the findings and make recommendations for changes or additions to the laws or review procedures. Makes a technical change.

Senate Bill 2156, Cunningham (K. Burke), PA 99-0897

Amends the State Universities Article of the Illinois Pension Code. Provides that a participant may establish creditable service and earnings credit for periods of furlough (or voluntary reduction in pay taken in lieu of furlough) beginning on or after July 1, 2015 and ending on or before June 30, 2017 by paying, on an after-tax basis, specified employee and employer contributions, plus interest. In the provision requiring employers to make an additional contribution to the System under certain circumstances when an employee receives an increase in annual earnings exceeding 6%, provides that when assessing payment, the System shall include earnings that would have been paid to a participant had the participant not taken periods of voluntary or involuntary furlough (or voluntary reduction in pay taken in lieu of furlough) on or after July 1, 2015 or on or before June 30, 2017. Requires the employer to report such earnings in a manner prescribed by the System. Also requires the System to provide advance notice to a participant in the self-managed plan of the participant’s obligation to direct the investment of employee and employer contributions into one or more investment funds selected by the System at the time he or she makes his or her initial retirement plan selection. Provides that if a participant in the self-managed plan fails to direct the invest-

ment of employee and employer contributions into the various investment options offered to the participant when making his or her initial retirement election choice, the System shall invest the employee and employer contributions in a default investment fund on behalf of the participant, and the investment shall be deemed to have been made at the participant’s investment direction. Provides that the participant has the right to transfer account balances out of the default investment fund during time periods designated by the System.

Senate Bill 2159, Cunningham (K. Burke), PA 99-0694

Amends various Acts relating to the governance of public universities in Illinois and the Public Community College Act. Sets forth provisions governing employment contracts of the president or all chancellors (rather than all employment contracts) entered into, amended, renewed, or extended after the effective date of this amendatory Act. With respect to employment contracts entered into with the president or all chancellors of a public university, sets forth provisions concerning severance, start and end date, and automatic rollover clauses. Provides that public notice given prior to action on the formation, renewal, extension, or termination of employment contracts must be compliant with the provisions of the Open Meeting Act and must include a copy of the governing board item or other documentation providing, at a minimum, a description of the proposed principal financial components of the president’s or all chancellors’ appointments. Provides that any performance-based bonus or incentive-based compensation to the president or all chancellors of the community college must be approved by the governing board in an open meeting. With respect to public community colleges, removes provisions concerning limitations of employment contracts entered into, amended, renewed, or extended after the effective date of this amendatory Act. Provides that severance payments or contract buyouts may not occur if there are pending criminal charges against the president or chancellors of the community college related to their employment. Provides that the criteria and goals upon which the bonus or incentive-based compensation for a president or chancellors of a community college is based must be made available to the public no less than 48 hours before board approval of the performance-based bonus or incentive-based compensation. Provides that severance payments or contract buyouts may be placed in an escrow account (rather than may not occur) if

there are pending criminal charges against the president or chancellors. Make related changes.

Senate Bill 2174, Cunningham (Breen), PA 99-0695

Amends the Board of Higher Education Act. Provides that the Board of Higher Education shall require every voting member of the governing board of a public university appointed for a term beginning after January 1, 2016 to complete a minimum of 4 hours of professional development leadership training. Provides that a public university shall maintain on its Internet website the names of all voting members of the governing board who have successfully completed the training. Provides that after the effective date of this amendatory Act, by July 31 of each year, the chairperson of each governing board shall certify to the Board the number of hours of training that each member received during the preceding fiscal year. Sets forth provisions providing for if a board member has not completed the training. Provides that the training may be provided by the Board or by other qualified providers approved by the Board. Provides that the training may cover the topic of contract law. Provides that the professional development leadership training shall include certain topics.

Senate Bill 3301, Rose (Fortner), PA 99-0636

Creates the Illinois Articulation Initiative Act. Removes references to seamless transfers. Requires that all courses approved for Illinois Articulation Initiative General Education Codes must be transferable as part of the General Education Core Curriculum package (Rather than all courses approved for Illinois Articulation Initiative codes must be directly transferable either as part of the General Education Core Curriculum package or as equivalent major courses). Provides that all public institutions of higher education shall determine if Illinois Articulation Initiative major courses are direct course equivalents or are elective credit toward the requirements of the major. Provides that if the receiving institution does not offer the course or does not offer it at the lower-division level, the student shall receive elective lower-division major credit toward the requirements of the major for the course and may be required to take the course at the upper-division level. Provides that the Board of Higher Education and the Illinois Community College Board shall co-manage the specific requirements of the General Education Core Curriculum.

# LOOKING FOR THE UNION LABEL



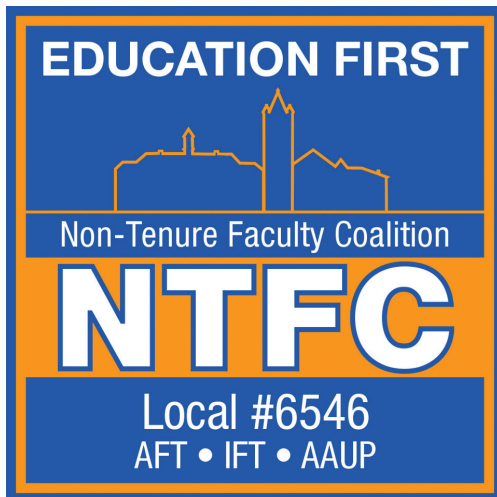
## UIUC Non-Tenure Faculty Union Ratifies First Contract After Strike

By John K. Wilson

The Non-Tenure Faculty Coalition (NTFC) Local #6546 members ratified their first-ever contract with the University of Illinois administration on May 5, 2016 by an overwhelming vote. The five-year contract (through August 2019) provide full-time NTT faculty with three month advance notice rights, gives long-term faculty at least one year of job security beyond their current one year position.

NTFC Local #6546 was formed in 2014 as joint project of the Illinois Federation of Teachers, the American Federation of Teachers, and the American Association of University Professors.

After 18 months of negotiations, NTFC members went on a two-day strike on April 19 and 20, 2016. NTFC members and supporters walked out a second time a week later before the labor agree-



ment was reached on April 30.

Shawn Gilmore, President of NTFC, declared: "I'm incredibly pleased that our members fought for and have now ratified a contract that will stabilize the working lives of non-tenure-track faculty at the University of Illinois, Urbana-Champaign."

Gilmore cited "the support of our partner unions, as well as faculty and students from throughout the campus community and beyond."

The agreement covers all full-time clinical, teaching and research non-tenure-track faculty at the University of Illinois at Urbana-Champaign, except those affiliated with

its Law, Veterinary and Medical Schools.

Protection of academic freedom is also part of the agreement, along with participation of NTT faculty in faculty governance.



## Northern Illinois University Faculty Form AAUP Union

On April 27, 2016, tenured and tenure-track faculty at Northern Illinois University filed with the Illinois Education Labor Relations Board to form a new union affiliated with the AAUP. It will represent more than six hundred faculty members at NIU.

A union will allow the faculty to negotiate ways to improve NIU and work with the administration to find solutions to budget issues. Currently, many faculty are concerned that the administration makes decisions without input from the faculty who carry them out. Resources for the university's core mission of teaching and research have dwindled, while tuition costs and student loan debt have ballooned.

Faculty have experienced several years of wage freezes, a gender pay gap, and a shift from tenured positions to adjunct and graduate student labor.

"Faculty work with students every day to help them succeed," said Rosemary Feurer, associate professor of history at NIU. "We are the heart of the university, and a union gives us a greater voice to improve NIU, for the benefit of our students and the community."

The new union, called the United Faculty Alliance of Northern Illinois, is also affiliated with the University Professionals of Illinois, Illinois Federation of Teachers, and the American Federation of Teachers.

## Saint Xavier Adjuncts Vote for Union

By Peter N. Kirstein

In 2011, Saint Xavier University adjunct faculty voted to organize under the banner of the Illinois Education Association. President Christine Wiseman challenged the right of adjunct faculty at the Sisters of Mercy Catholic institution to unionize, in claiming a religious exemption under the First Amendment. Federal labour law, they argued, should not apply to a religious institution. Since 1979, there has been a union of full-time faculty. Through numerous appeals of Regional Director National Labor Relations Board decisions, SXU was able to delay a vote tally for five years. I testified under subpoena on behalf of the adjuncts at one of the early hearings in the NLRB regional Chicago office.

After the NLRB finally ruled that adjuncts could organize in accordance with the landmark 2014 decision, Pacific Lutheran Univ. & SEIU, Local 925, 361 NLRB No. 157, that significantly expanded the organizing rights of adjunct faculty, the five-year old ballots were counted on September 20. The tally was 29-25

in favour of a union. Two other Catholic universities, Duquesne University and Manhattan College received similar mandates from the NLRB, with the latter also impounding adjunct union votes for five years.

Duquesne University president Charles Dougherty has played hardball with vulnerable adjunct faculty that are organizing under the Steelworkers and uses questionable tactics to intimidate and frighten his most vulnerable faculty. He is a "role model" in identifying why adjuncts pursue collective bargaining!

I would prefer that Saint Xavier finally emulate the Georgetown University and Loyola University Chicago response to adjunct-union strivings, and adopt a more progressive approach to social justice. The former displayed insouciance over adjunct organizing efforts, and the latter, while opposing an adjunct union with a video campaign, did not deploy legal appeals to delay or suppress a vote. Their adjuncts are unionized. These Jesuit universities are less opposed to the rights of labor, and adhere to a more liberal interpretation of Catholic Social Teaching.

## U of Chicago Graduate Workers Vote for AAUP/AFT

Graduate employees at the University of Chicago overwhelmingly re-affirmed their choice to organize for collective bargaining with the AAUP, AFT and IFT. Members of Chicago Graduate Students United voted for continued AAUP-AFT-IFT affiliation. Since 2007, GSU has been working to improve conditions for graduate workers and on campus and has made significant gains. "It's great that we have a strong democratic mandate to move forward with organizing for union recognition. We have been working together with the campus community for years to improve conditions for those employed here, studying here, and ultimately for the broader community and we are proud of our successes. We are excited to move forward to achieve formal union recognition and to have that seat at the table we need to exercise a meaningful voice in campus democracy," says Abhishek Bhattacharyya, a graduate employee at the University of Chicago and member of the AAUP committee on graduate and professional students.

Rudy Fichtenbaum, president of the AAUP said, "The AAUP is thrilled to be working with graduate employees at the University of Chicago. Members of Graduate Students United at the University of Chicago have shown their commitment to creating a member-run union as they campaigned to improve conditions on their campus. The AAUP is proud to support them and looks forward to continuing to work together enhance their voice on campus." The recent NLRB decision, which expands opportunities for collective bargaining for graduate workers at private institutions, not only stands to improve economic and lifestyle conditions for grads but it stands to improve conditions for academic freedom and shared governance participation.



graduate students united  
at the university of chicago



# DePaul Bans Ben Shapiro From Speaking on Campus



A Cook County sheriff was waiting at DePaul on Nov. 15 to arrest Ben Shapiro if he tried to attend or speak at an event sponsored by DePaul's Young Americans for Freedom group.

By John K. Wilson

DePaul University has banned conservative pundit Ben Shapiro from speaking on campus to the Young Americans for Freedom student group.

On November 15, when Shapiro attempted to speak at DePaul, he reported, "When I showed up, I was confronted by 30 security guards from the university. There were also five or six local cops present, as well as a sheriff from Cook County to facilitate an arrest if security decided to move on me." There were no protesters at the event.

During the summer, Bob Janis, Vice President of Facilities Operations at DePaul, sent an email to the campus YAF chapter declaring, "Given the experiences and security concerns that some other schools have had with Ben Shapiro speaking on their campuses, DePaul cannot agree to allow him to speak on our campus at this time."

This is a classic example of the heckler's veto, and it must be rejected by ev-

eryone. No college campus should ever ban a speaker. Period. No exceptions. If there are security concerns, then you provide the security needed to protect free speech.

In May, leftist protesters disrupted and ended a speech by Milo Yiannopoulos at DePaul (the College Republicans were forced to pay \$1000 for campus security, who then did nothing to stop the disruption).

President Dennis Holtschneider apologized to the College Republicans: "They deserved to hear their speaker uninterrupted, and were denied that." In response, the DePaul University Black Leadership Coalition held a sit-in, leading Holtschneider to apologize to them on June 2, "I am deeply sorry for the harm that was unleashed by a speaker whose intent was to ignite racial tension and demean those most marginalized, both in our society and at DePaul." Holtschneider then announced his resignation in mid-June, effective at the end

of the 2016-17 academic year.

I am not a fan of Ben Shapiro, since I critiqued his first book in 2005 and criticized his homophobic views in 2013. But I absolutely defend his right to express his dumb ideas, and the right of student groups to invite him and hear what he has to say.

But I have some unsolicited advice for what DePaul University should do:

1) Revoke the ban on Ben Shapiro and declare that no one is banned from speaking at their campus.

2) Provide adequate security for all campus events, at no cost to the organizers. It should be a campus policy that no one can be forced to pay for being the victim of a crime or a threat.

3) Reform its campus code to provide greater protection for free speech, and to clearly specify that silencing speakers is a violation of those rules.

4) Educate the campus community about why free speech and open debate of ideas is important.

## Does the University of Chicago Really Protect Free Expression?

By John K. Wilson

It's praiseworthy that the University of Chicago has announced to its students a "commitment to freedom of inquiry and expression." But there is a problem: in this announcement, the University actually calls for limiting freedom of expression, and University of Chicago policies also severely limit free inquiry and student rights.

According to the letter, "Our commitment to academic freedom means that we do not support so-called 'trigger warnings,' we do not cancel invited speakers because their topics might prove controversial, and we do not condone the creation of intellectual 'safe spaces' where individuals can retreat from ideas and perspectives at odds with their own."

I don't like trigger warnings, but it is a fundamental academic freedom right of individual faculty to choose whether or not to give a trigger warning. This statement seems to indicate that trigger warnings aren't allowed at the University of Chicago, and that's wrong.

Even worse is that statement that the University of Chicago doesn't "condone" safe spaces. If the University of Chicago does not "condone" people creating safe spaces, then it doesn't condone individual liberty. Everyone is free to create their own "safe spaces" where they can retreat from things they don't like. I don't like safe spaces, but I would never suggest that they should be banned.

For all of the high-minded invocation of free speech,

the University of Chicago has one of the worst speech codes (and perhaps the most confusing one) that I've ever read. It's full of arbitrary power, lack of due process, and multiple disciplinary systems.

The worst part of it gives the Dean of Students total authority to effectively expel students without a hearing on extremely vague grounds. It's called the "Involuntary Leave of Absence Policy."

Under the policy, "the Dean of Students may require an involuntary leave of absence when he or she determines: (1) that the student has engaged, or threatened to engage, in conduct that has caused or is likely to cause serious disruption to the learning, extra-curricular and living activities of members of the community or others, including by impeding the rightful activities of others."

A student can also be banned if "a student's conduct raises concerns about the safety and well-being of the student or others, or causes significant disruption to the functioning of the University." If the University of Chicago doesn't believe in safe spaces, perhaps it shouldn't ban students without a hearing over posing a risk to the "well-being" of anyone.

And if a student doesn't like the "involuntary leave of absence" imposed by the Dean of Students, they can request a review—by the same Dean of Students who just banned them from campus without a hearing. And according to the policy, "The decision is final and unreviewable

within the University."

If you are arrested for any crime, if your conduct "raises concerns" about the "well-being" of anyone, if you cause "significant disruption" (whatever that means) you can be banned from campus without a hearing or appeal.

What does disruption mean? According to the U of C protest policy, "Disruptive conduct includes but is not limited to (1) obstruction, impairment, or interference with University sponsored or authorized activities or facilities in a manner that is likely to or does deprive others of the benefit or enjoyment of the activity or facility..."

What if your "enjoyment" of an activity or facility is affected by someone's protest, as it often is? Under these rules, you can be punished. In fact, because the clause includes the phrase "is not limited to," the University of Chicago can punish you for anything it deems disruptive, even if it doesn't affect someone's "enjoyment." Isn't the University of Chicago's "enjoyment" protections the very definition of a "safe space"?

The University also has the "right to deny individuals access to all or some University property" for "suspicious activity, or behavior that is or is likely to be...disruptive to University operations and activities." Yes, merely being "suspicious" or deemed "likely to be disruptive," without actually being disruptive, is grounds for being banned from University of Chicago property, again without a hearing or an appeal.

## Too Old, Too White, Too Female To Teach a Columbia College Class

By Nancy Traver, P-fac Communications Chair

P-fac, the union of part-time faculty members at Columbia College Chicago, recently unearthed an internal report that verified what the union has been saying for years: the administration wants to drive out senior adjuncts and get rid of its collective bargaining agreement with the union.

The report also states that there are just too darn many older white women adjuncts.

The information came in an annual report for the 2015-16 academic year written by Jeff Schiff, interim chair of the Fashion Studies department. A section of Schiff's report on diversity says fashion students are "almost always taught by white women instructors" and that "noteworthy, too, is that 25 of them are older than 50."

The report continues, "Sentiment is high about further diversifying our faculty -- in terms of age, ability, sexual orientation, philosophical bent, socioeconomic background, etc. Given the de facto hiring freeze and the strictures of our collective bargaining agreement, such will likely not come to pass any time soon."

The part-time faculty contract hinders progress, the report states. "The collective bargaining agreement means that unless we substantially rewrite classes, and find those currently assigned lack sufficient expertise to teach them, we cannot seek the most appropriate credential/outcomes match."

P-fac President Diana Vallera called the report "disturbing but at the same time an affirmation of what we suspected was taking place."

She noted that senior adjuncts from many departments have been complaining for several semesters that the administration uses the tactic of renaming courses and then

telling older, more experienced and higher-paid adjuncts that they are suddenly "not qualified" to teach these newly redesigned courses. This often occurs even when the so-called "new" courses incorporate the same curriculum as that offered in the original classes.

"The administration is audaciously sidestepping the collective bargaining agreement, getting rid of adjuncts they don't like and sometimes bringing in their friends and family members to teach the classes," she added. "By doing this, the administration is disregarding faculty who have dedicated years of their lives to teaching and is also violating our collective bargaining agreement."

Columbia College signed the collective bargaining agreement (CBA) with P-fac in 2013, after three years of contentious negotiations. Considered one of the best contracts in the nation, the CBA says the college must offer two course sections to qualified adjuncts with 51 or more teaching credits worth of service, before moving on to those with 33-50 credits. It provided some measure of job security for a contingent work force requiring cause for termination.

Since the fall semester began, students and faculty in the Fashion Studies department have complained that the changes are being made without input from the department's curriculum committee. Proposals that have drawn protest include changing the department's name, dropping a BFA in design, and moving the department into a marketing and business model and away from design and construction.

Opponents of the changes have posted an online petition saying that the proposed curriculum "will not provide

Columbia fashion design students with the education they need for viable employment in their chosen field," and that they've been given "no evidence/data to show the courses that have been proposed, altered, removed or renamed will improve our students' educational experience and make them more marketable."

The local AAUP chapter has launched an investigation into the department's academic practices. The chapter raised concerns about the department's failure to follow a proper procedure for curriculum changes, failed to produce data or research in support of changes, and excluded the voices of faculty who teach in the discipline. Furthermore, it is noteworthy that the department chair at the forefront of the changes is an interim appointment with no experience within the discipline.

In 2013, Columbia College under the leadership of President Warrick Carter, initiated a "prioritization" program utilizing similar tactics. This effort was successfully halted through strong opposition across the college.

Today prioritization comes under the guise of "the strategic plan." The current President and CEO Kwang-Wu Kim signed the collective bargaining agreement with P-fac, and promised experienced adjuncts would be "valued."

Vallera said, "The disregard of long-serving faculty revealed in Schiff's report stands in stark contrast to Dr. Kim's stated commitment. In a troubling contortion of equity and diversity, Schiff's report draws upon gender bias and age bias in the name of advancing diversity."

This throws into doubt the legitimacy of the diversity component of Columbia College's strategic plan.



# Northwestern Lifts the Illegitimate Suspension of Jackie Stevens

By John K. Wilson

On Sept. 21, political science professor Jackie Stevens began teaching her class at Northwestern University. Earlier that week, she didn't know if that would happen. Stevens had been banned from campus (and prohibited from any contact with students) since July 28, when the administration announced she was a potential threat and would need to undergo a four-hour psychiatric evaluation before being allowed back on campus if the administration permitted it. After numerous delays that Stevens blamed on the administration, Stevens had her evaluation last week, and apparently she passed the test.

This was not a surprise, because there was never any evidence Stevens was a threat to anyone, and no reports that anyone filed a complaint asking for her to be banned from campus. Stevens has also been deported to the far north end of campus. Her new office, dictated by the university, is almost a mile away from Scott Hall, where the political science department is.

But even though the suspension is over, the conduct of Northwestern's administration is alarming, especially because they appear to be planning further punishment of Stevens.

The suspension of Stevens was expressly prohibited under university rules. On July 28, 2016, Adrian Randolph, dean of arts and sciences wrote to Stevens, "in accordance with the Northwestern University Handbook provision on Medical Leave/Fitness-For-Duty, I am placing you on immediate leave because the University has concerns that you may pose a direct threat to your own safety or the safety of others." Randolph also ordered, "you cannot have contact with graduate or undergraduate students," even though it's not clear how Stevens could endanger students by email.

This was a clear violation not only of Stevens' academic freedom but also the academic freedom rights of students to communicate with anyone they wish to.

It was also a direct violation of Northwestern's policies. According to the Northwestern faculty handbook, a medical suspension is only permissible after a medical evaluation, not before one: "If the evaluation affirms that a faculty member does pose a direct threat, the faculty member may be offered a voluntary medical leave. If the faculty member declines to take a voluntary medical leave, the University may place the faculty member on involuntary medical leave." The faculty handbook does allow for suspensions in extreme circumstances in anticipation of a disciplinary hearing, but the administration has announced that Stevens has never been subjected to any disciplinary action (yet), so it could not have invoked that clause.

But although the illicit suspension is over, the administration announced it is still planning to go after Stevens. Stevens has released a letter she received Sept. 19 from Randolph which announced the end of her suspension: "It now appears we have excluded the possibility that your conduct was unintentional." If Stevens had been crazy, Northwestern would have banned her as a threat. Because she's not crazy, now they plan to get rid of her for knowingly committing the crime of incivility.

In the Sept. 19 letter, Randolph announced he was "exploring...whether disciplinary procedures are appropriate" over complaints about her teaching.

But it is more likely that the Administration wants to punish Stevens for her behavior toward colleagues. Randolph announced that Stevens' actions display "a lack of civility and are in contravention of our policies." Normally, that kind of statement is made after evidence at a disciplinary hearing proves it, and not announced as a conclusion beforehand.

Randolph warned, "I am in the process of determining whether you conduct requires disciplinary action." He also accused her of "bullying" and demanded that she "acknowledge this problem as a first, important step toward reconciliation." I'm sure it would make the administration's planned disciplinary actions much easier if Stevens would simply confess to bullying. Reconciliation is hardly the Northwestern administration's goal, since it has refused Stevens' request to have a mediator work with the political science department to resolve their differences, since doing so might interfere with their desire to put all the blame for the conflict on Stevens.

The origins of this dispute, like many academic disputes, are incredibly stupid. On March 8, 2016, Stevens met with Alvin Tillery. Tillery told her that the department wanted to take away her large lecture class in the fall, Introduction to Political Theory, and give it to a new professor to teach. She would need to teach a different class in the fall, and then teach the larger class in the Winter. Stevens did not like this idea, and there was an argument. After a 5-10 minute meeting with the door open, Tillery told her to get out and shut the door after she left.

Stevens filed a complaint with the administration, accusing Tillery of violating Northwestern's Civility and Mutual Respect policy, claiming that he yelled at her and slammed the door shut. Yes, sadly, there is such a policy allowing "rude, obnoxious" people to be punished, along with "Guidance on Civility and Violence" that explains how "namecalling, raised voices and petty meanness" are examples of violations of Northwestern's policy against "disrespectful" statements.

This policy clearly violates academic freedom and needs to be immediately eliminated, but it will probably soon be used against Stevens.

Tillery, in response, had his attorney send Stevens a letter in April threatening to sue her for libeling him by telling other professors that he had yelled at her. Stevens, who didn't want to spend her own money fighting a frivolous lawsuit, asked the University to pay for her legal expenses under the university's indemnification clause in the Statutes, which protect employees when engaged in university business.

The University in turn hired a lawyer, Kathleen Reinhart, to investigate the indemnification issue. And that's when things really got weird. Instead of looking at indemnification and the March 8 dispute that led to the lawsuit, Reinhart's report became an investigation of everything negative about Stevens. Stevens released the executive summary of Reinhart's report, but not the entire 11-page report quoting critics of Stevens.



In the executive summary, Reinhart essentially admits that the indemnification issue was just an excuse to go after Stevens: "The demand letter has created a clarifying 'pause point' for the University to assess Stevens' conduct, its impact on colleagues and students, and the nature of the actions the University now is prepared to take." This reference to "actions the University now is prepared to take" in her own report indicates a strong collaboration between Reinhart and the administration.

Normally, an investigator's report would not include a reference to a punishment that was supposed to be based on that report. Reinhart's statement means that she and the administration were directly communicating about plans to punish Stevens, and that the report was written, perhaps from the very beginning, as an indictment of Stevens to justify this punishment.

According to Reinhart, "academic freedom does not afford faculty a basis to behave in contravention to these policies." She never considers the possibility that these policies violate academic freedom, which they do.

Reinhart's investigation was highly dubious. Reinhart concluded, "Stevens' hostile and aggressive conduct toward colleagues over time (e.g., contributing to an ongoing state of tumult and dysfunction in the Department, and her refusal to retract public statements that Tillery verbally abused on March 8) may constitute a breach of her duty of loyalty under University Statutes and thereby may preclude the indemnification of her conduct toward Tillery on March 8."

This is an incredibly troubling conclusion. A university doesn't get to say, "We think you're a jerk to other people so we won't indemnify you." But that's exactly what Reinhart said and the university relied on. If Stevens was being sued by Tillery for her comments about the March 8 event, the indemnification issue is solely related to what happened on that day. Using the complaints by colleagues "over time" against her is completely irrelevant to the lawsuit and therefore to the indemnification issue Reinhart was supposed to be investigating.

Oddly, the executive summary of Reinhart's report never reaches a conclusion about what happened on March 8. Since yelling and slamming are ill-defined terms and subject to personal interpretation, it would be almost impossible to conclude that someone intentionally made a false

claim of slamming a door. And Reinhart never alleges that in the executive summary. But that's what she would have needed to do in order to conclude that indemnification doesn't apply to Stevens. Stevens' "duty of loyalty" to the university means not filing intentionally false charges. But it doesn't mean being nice to other people.

While Reinhart refuses to state that Stevens lied about what happened on March 8 or even to state that she does not meet the standards of indemnification, Reinhart has no problem concluding that Stevens' conduct "is contrary to current policies regarding the nature of civil behavior expected of all employees of the University."

It was not Reinhart's job to investigate Stevens' civility over the last several years, and not surprisingly, she did a terrible job at something she wasn't supposed to do. Reinhart reaches all of these conclusions about Stevens without giving Stevens the opportunity to defend herself against these accusations. Stevens, who assumed that Reinhart was actually investigating the March 8 incident and the indemnification issue, instead found herself blindsided with a hit job hired by the university.

Reinhart's report also includes what seems to be an outright lie about the March 8 incident: "none of the witnesses, other than Stevens, heard shouting." As Stevens points out, an undergraduate student in the hallway reported, "I heard a male voice yelling," and also heard the words "get out" and the door slamming.

Reinhart dismisses this witness by writing, "he said he never actually saw anything." However, apparently none of the other witnesses saw anything, and one could conclude that a person in the hallway is more likely to hear something than a professor concentrating on their work in their office.

Is it possible that Tillery may have raised his voice while telling Stevens to leave his office? Is it possible that when he shut the door it was with sufficient force to be interpreted as a slam? Of course, there's also nothing wrong with what Tillery allegedly said or did. Yelling, telling people to leave your office, and slamming a door might be rude under certain circumstances, but they should not be a policy violation. Tillery himself described a yelling match the previous year between the department chair and Stevens that he said could be heard on the entire floor.

But it is very, very odd that the only person who filed a disciplinary complaint ended up being suspended as a violent threat. Normally, if someone poses such an enormous threat, there would be a campus complaint about it, and a police report. The fact that the information deemed to justify a suspension came from an investigation of Stevens' complaint is highly suspicious. This raises the question of retaliation, that Stevens is being punished for filing the complaint.

And the administration has a political axe to grind against Stevens. Stevens was a leader of the movement this spring by faculty in opposition to the appointment of former military commander Karl Eikenberry, who lacks a Ph.D., as the head of Buffett Institute for Global Studies. Eikenberry eventually withdrew from the appointment, and there is no doubt that the episode angered and embarrassed the Northwestern Administration.

The fact that this suspension happened soon after this very public incident (and Stevens' promises to investigate the Board of Trustees further) is highly suspicious. Would the administration have violated its own policies to act with similar haste against a professor who had been supporting their efforts?

The Northwestern administration used a routine indemnification investigation that turned into a fishing expedition against Stevens and went far beyond any reasonable bounds. The administration violated the Faculty Handbook with an illegitimate suspension that's directly contrary to the stated policies. And even though the administration has overturned its illicit ban on Stevens, it seems likely to pursue more disciplinary action based on questionable rules, a dubious investigation, and a completely unfair process that threatens academic freedom at Northwestern.

**Illinois AAUP  
Annual Meeting  
Saturday, April 22, 2017**

The Illinois AAUP will hold its annual conference and meeting at Columbia College, 618 S. Michigan Ave. in Chicago. For info, email [collegefreedom@yahoo.com](mailto:collegefreedom@yahoo.com).

# Committee A on Academic Freedom and Tenure (Illinois) Report on Douglas Antola Crowe, Bradley University

Since this report was filed, Mr. Crowe landed an adjunct position at Eureka College. He is exploring with counsel additional measures with regard to his non-renewal at Bradley. His case is a testimonial to the persecution and abuse of non-tenured full-time faculty throughout the academy.

April 22, 2016

President Gary R. Roberts

Bradley University, Swords Hall, 1501 W Bradley Ave.  
Peoria, Illinois 60625

Douglas Antola Crowe contacted Committee A on Academic Freedom and Tenure of the Illinois Conference of the American Association of University Professors on Monday, April 11, 2016. The purpose was to communicate a series of grievances and disputes with the administration. He included a panoply of documents dating back to 2012 that contains a series of complaints, grievances and allegations of academic freedom violation, age discrimination and retaliation from a variety of administrators.

He received his bachelor's degree from Southeast Missouri State University and his master's from the University of Missouri. Mr. Crowe is currently a full-time non-tenure track instructor in the Department of Finance and Quantitative Methods. He teaches four sections of Quantitative Methods, 262 and 263. For twenty-seven years, Mr. Crowe has served the Bradley University community in a variety of capacities including assistant dean of international business programs, assistant to the dean for undergraduate programs, assistant professor and instructor. His performance, from what we have determined, has been unexceptionable, dedicated and highly productive. We have seen no formal complaints about his teaching or any aspect of his service to Bradley, other than Foster College of Business dean Darrell Radson's alleged outburst of denunciation in 2013 at a faculty meeting, which was later the subject of an apology.

Committee A does note with approbation that Alan Galsky, vice president for student affairs and university Interim President Stan R. Liberty implemented several of the grievances that were sustained by the Grievance Committee and the Tenure, Promotion, and Dismissal committee. These ranged from name inclusion in a building directory and other formats, and the proffering of additional contracts over a period of several years. We find that Bradley's procedures in dealing with those specific complaints are consistent with American Association of University Professors guidelines.

However, we are concerned about the lack of transparency concerning nonrenewal through issuance of a terminal contract for spring semester, 2016. The TPD committee was disturbed by the lack of transparency in this matter and starkly noted that the process relative to contractual nonrenewal "has broken down."

Although the Faculty Handbook does not require that contingent faculty be provided a statement of reasons for a nonreappointment, there is a reasonable expectation that long-term serving contingent faculty such as Mr. Crowe, who first arrived at Bradley in 1980, would receive a statement of explication. The AAUP's commitment to transparency for all faculty is a seminal principle of academic justice and due process as articulated in the Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments (1989):

### 3. Notice of Reasons

In the event of a decision not to renew an appointment, the faculty member should be informed of the decision in writing and, upon request, be advised of the reasons which contributed to that decision. The faculty member should also have the opportunity to request a reconsideration by the body or individual that made the decision.

In Standards for Notice of Nonreappointment (1964), there is an updated cautionary note that these standards must also apply to contingent full-time faculty such as Mr.

Crowe: AAUP "considers all full-time faculty members holding renewable term appointments, whatever their title or status, to be entitled to notice of nonreappointment... We do not view it...equable, to deprive full-time "non-tenure-track" faculty of the safeguards that the standards for notice are intended to provide.

Mr. Crowe has repeatedly requested an explanation for the initial nonrenewal decision in 2015 that would terminate his appointment within the Department of Finance and Quantitative Methods. On February 3, 2016, he affirmed that he had requested in writing from Interim Provost Joan L. Sattler and Dean Darrell Radson an explanation for nonrenewal of his contract. He then sent a second letter to Dean Radson on March 15 seeking clarification of his nonreappointment. He informed you in a letter on February 25, 2016 that he received "NO RESPONSE" in obtaining from either of the above senior administrators an explanation for the decision of nonrenewal. [Emphasis in original] A contract, won through a grievance with the TPD, was issued on January 6, but according to Mr. Crowe's documents, this long-serving colleague did not receive any response for the latest decision to issue a terminal contract.

Your response, we respectfully suggest, was less than adequate. We are concerned about contract addenda that preclude possible appeal or reversal even by another president, governing board, or even a legal proceeding. You stated in your February 29, 2016 response that the contract issued in January 2016 included what is a virtual non-dispute clause in paragraph four:

By accepting this contract, your (sic) acknowledge that it is a terminal contract. No future contracts for your employment at Bradley University will be approved, and you may not rely on a proposal, recommendation, promise or statement by anyone to the contrary.

Mr. Crowe signed the contract; earning a livelihood for himself and his family is a compelling reason to accept continued employment especially under duress. However, no contract in academia should ban a possible grievance. A basic principle of civil liberties is the right to contest and seek redress. That right must not be suppressed a priori in contract addenda.

We cannot conclusively determine from the documentary record if Mr. Crowe is a victim of age discrimination or retaliation. His treatment, however, by several superiors, as contained in the documentary record, are disturbing. Indeed one of his grievances was approved in removing Interim Dean Robert Scott, Foster College of Business, from an evaluative or supervisory role. However, the AAUP in its Recommended Institutional Regulations on Academic Freedom and Tenure affords due process, and the right to challenge nonrenewal of an appointment for the reasons expressly raised by Instructor Crowe. Regulation 10 states:

"10. Complaints of Violation of Academic Freedom or of Discrimination in Nonreappointment

If a faculty member on probationary or other non-tenured appointment alleges that a decision against reappointment was based significantly on considerations that violate (a) academic freedom or (b) governing policies on making appointments without prejudice with respect to race, sex, religion, national origin, age, disability, marital status, or sexual orientation, the allegation will be given preliminary consideration by the [insert name of committee], which will seek to settle the matter by informal methods...If the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision against reappointment to come forward with evidence in support of their decision..."

We note with interest that the TPD Committee's December 14, 2005 report indicated that Mr. Crowe's courses were assigned to "a collection of lower paid part-time adjuncts..." We understand that two sections of his Quantitative Methods course have been assigned to adjuncts

for fall semester, 2016. The TBD indeed speculated this may have resulted from age discrimination and suggested the administration seek legal advice. The AAUP Illinois Committee A on Academic Freedom and Tenure, pending the results of this case, may strongly encourage that Mr. Crowe pursue age-discrimination relief from either the Equal Employment Opportunity Commission (EEOC) or the Illinois Human Rights Commission.

We were pleased that the TPD recommendation on the issuance of another contract was respected and adhered to:

(3) The committee recommends, but not unanimously, that Mr. Crowe should be given a contract for spring 2016 in the amount of \$30,300, as in his fall 2015 contract and assigned an office and teaching duties, if any are appropriate. If there are no classes for him to teach, then he should be paid regardless.

However, this is not sufficient given the current non-renewal circumstance. There are significant principles at stake here as described in the AAUP, On Full-Time Non-tenure-track Appointments (2014), "As the numbers of non-tenure-track faculty members increase, their (academic) freedom is placed in greater jeopardy. The contagion of insecurity restricts unorthodox thinking." We are impressed that Mr. Crowe has exercised what we normally encounter from tenure-track and tenured faculty: an effort to seek with dignity and professionalism, despite a term appointment, a measure of justice and transparency so he can pursue his teaching duties at Bradley.

Furthermore the TPD in its December 14, 2005 letter to Interim President Liberty concluded that "it is clear that Mr. Crowe has been treated shabbily by the university..." We strongly concur and believe his treatment, as previously noted, is in violation of a series of AAUP policies and documents in the area of transparency when encountering a nonreappointment. Mr. Crowe's summation of his grievance with the Tenure, Promotion, and Dismissal Committee on October 24, 2015, contains this request: "[I]n May, 2018, I would like to retire from Bradley University." With twenty-seven years of excellent service to Bradley University, we, therefore, urge the following measure be taken:

1) That you request, given appropriate curricular and enrollment needs, that Joan L. Sattler, interim provost and vice president for academic affairs, issue Mr. Crowe a contract through May, 2018, to teach Quantitative Methods in the Foster College of Business.

2) We urge, in the absence of such a contract proffer, that Mr. Crowe be given specific reasons why he was offered a terminal contract. In both your letters to Mr. Crowe, on February 29 and March 3, you indicated a disinclination to engage this issue, so that other units could deliberate these matters. In your second letter you stated, "this is no longer a matter of concern to me." Yet you did not hesitate to quote contract addenda that were highly problematic in terms of due process and possible grievance-procedural rights.

Some of the administrative unit actions, as contained in this report, contravened AAUP standards on nonrenewal and nonreappointment. Given the seriousness of this situation, we respectfully request, as the chief officer of the university, you intervene in this matter, and extend Mr. Crowe's teaching position until his well-earned retirement in 2018.

We hope to hear from you and that you will correct any misstatements of facts in this letter. You are being sent a hard copy of this letter through the U. S. Postal Service.

Illinois AAUP Committee A members unanimously endorse this statement: Iymen Chehade, Columbia College Chicago, Robin Meade, Triton College, John K. Wilson, editor, Illinois Academe and co-editor, AAUP blog.

Sincerely,

Peter N. Kirstein, Ph.D.

Vice President, Illinois AAUP

Chair, Committee A on Academic Freedom and Tenure  
Professor of History, Saint Xavier University

## NLRB Ruling Is a Union Victory for Student Employee Rights at Private Institutions

In a victory for student employees and the unions that represent them, the National Labor Relations Board found on August 23, 2016 in the case of Columbia University that student assistants working at private colleges and universities are statutory employees covered by the National Labor Relations Act. The 3-1 decision overrules a 2004 decision in Brown University, which had found that graduate assistants were not employees and therefore did not have statutory rights to unionize.

"Graduate employees deserve a seat at the table and a voice in higher education. Collective bargaining can provide that," said Howard Bunsis, chair of the AAUP Collective Bargaining Congress. "This is a tremendous victory

for student workers and the AAUP stands ready to work with graduate employees to defend their rights, including rights to academic freedom and shared governance participation."

The AAUP filed an amicus brief with the National Labor Relations Board arguing that graduate assistants at private-sector institutions should be considered employees with collective bargaining rights, and that collective bargaining promotes academic freedom. The brief further argued that rather than harming faculty-student mentoring relationships, graduate employee unionization can bring clarity to the employer-employee relationship.

In reversing Brown, the majority said that the earlier

decision "deprived an entire category of workers of the protections of the Act without a convincing justification." The board also agreed that granting collective bargaining rights to student employees would not infringe on First Amendment academic freedom, nor would it harm the student faculty relationship.

The AAUP has long been committed to organizing graduate employees and currently represents graduate employees at a number of public sector institutions, where the graduate employees represented by the AAUP have seen significant gains as a result of bargaining. This decision will allow student employees in the private sector to organize and seek similar improvements.

# Donald Trump's War on Education

By John K. Wilson

Donald Trump's presidency could, if he chooses, be the most consequential one for higher education in a half-century, and the most destructive in history for colleges.

In his "Contract with the American Voter," Trump announced a war on public education that would radically shift federal policy. Trump plans to decimate federal funding to public schools, and instead fund religious schools and even pay parents who refuse to send their kids to school. Here is Trump's "School Choice And Education Opportunity Act":

"Redirects education dollars to gives [sic] parents the right to send their kid to the public, private, charter, magnet, religious or home school of their choice. Ends common core, brings education supervision to local communities. It expands vocational and technical education, and make [sic] 2 and 4-year college more affordable."

It says something about Trump's commitment to education that his one-paragraph legislative proposal on education included two spelling errors and a run-on sentence, and nobody has corrected it in the month since it was released. It's even more alarming that Trump plans to pay parents if they refuse to send their kids to school.

David Horowitz has taken credit for convincing his friend (and top Trump adviser) Steve Bannon to convince Trump to offer a \$130 billion school choice plan. If Horowitz has strong influence in a Trump presidency, he might be able to get his Academic Bill of Rights imposed on colleges, and his recent efforts to have Students for Justice in Palestine banned from campuses.

Higher education is likely to suffer badly under President Trump. Trump has gone after colleges for high tuition rates, ignoring the role of declining government support: "If colleges refuse to take this responsibility seriously, they will be held accountable."

It's particularly ironic that the man who used his Trump Foundation to buy two paintings of himself and a Tim Tebow-signed helmet, settle a lawsuit against his company, and bribe the Florida Secretary of State when she was considering joining the lawsuit against Trump University, would then declare that nonprofits need "to spend endowments on their students, not themselves."

Trump threatened to revoke the tax-exempt status of universities unless they "use that money to cut the college debt and cut tuition, and they have to do it quickly." If a private college cuts tuition rates but reduces financial aid for students, the result will be increased student debt for the poorest students. Imagine the outcry from Trump if a politician had threatened to ban the tax-exempt status of wealthy churches unless they spent more money to help the poor.

One potential threat to international students is Trump's promise to expel illegal immigrants with criminal records and "cancel visas to foreign countries that won't take them back." All Mexican international students in the US could have their

visas cancelled by President Trump in a dispute (such as his demands to be paid for his wall).

In addition to Trump's announced policies, the power of the presidency could allow him to use the enormous authority of the executive branch to impose dramatic changes in campus policies around the country.

It's easy to imagine a President Trump (who claims that a dozen women he says he never met and all of their corroborating witnesses have falsely accused him of sexual misconduct) ordering his Department of Education to force colleges to increase protections for men accused of sexual misconduct.

Trump also believes that white men are the victims of reverse discrimination due to affirmative action. He attacked Elizabeth Warren by claiming that she "has a career that is totally based on a lie." It is shocking that Trump believes the entire career of minorities is due to affirmative action.

Trump as president would also pose a threat to scientific research. Trump has repeatedly called climate change a hoax. Would President Trump allow federal money to spent on something he thinks is a conspiracy to destroy America created by China?

Trump declared, "In the past few decades, political correctness – oh, what a terrible term – has transformed our institutions of higher education from ones that fostered spirited debate to a place of extreme censorship, where students are silenced for the smallest of things." Trump announced, "We will end the political correctness and foster free and respectful dialogue." Trump would probably transform the Education Department, and use the threat of federal funding to impose his will on colleges.

For-profit colleges will gain from President Trump, and close advisor Newt Gingrich is deeply linked with them. Trump University was a con that began as a delusion: until he turned his failed project into a real estate seminar scam, Trump actually believed that with a \$3 million investment, he could create an online, practical education as an alternative to conventional colleges. Now Trump has the power of the federal government and billions of dollars to encourage for-profit diploma mills to replace colleges.

It's no surprise that Trump is promising a war on political correctness and higher education. In the 2016 election exit polls, whites with a college degree favored Trump by only four points, while whites without a college degree supported Trump by a 39-point margin. That's a 35-point education gap, the largest in recorded history.

Trump accurately perceives higher education as a political enemy, twisting (or "educating") the minds of a generation of students to believe in equality, climate change, rational analysis, and all the other things that Trump opposes. In my book, *Trump Unveiled*, I detail how Trump has embraced a wide array of conspiracy theories. Higher education is an important antidote to irrational thinking, and therefore it is a likely be a target of Trump's political revenge.



## AAUP Annual Meeting Report

By John K. Wilson

The AAUP at its 2016 annual meeting on June 18, voted unanimously to censure the administrations of the College of Saint Rose, for the dismissal of 23 tenured and tenure-track professors, and the University of Missouri (Columbia), for the Board's dismissal of Melissa Click without due process.

The members also rejected a proposal to give Committee A authority to remove censure from the University of Illinois at Urbana-Champaign after meeting some additional requirements. Several members from Illinois spoke against the removal of censure at this time, urging that the shared governance process at Illinois should be allowed to continue.

The AAUP members also voted to remove the 1984 censure of Metropolitan Community College (Missouri), and the 1963 censure of Grove City College (Pennsylvania), which was the longest-lasting censure in AAUP history. A president emeritus of Grove City College drove to the home of the affected professor, now in his 90s, to offer an apology as part of the reforms for lifting censure.

The AAUP annual meeting also unanimously placed the University of Iowa and Union County College (New Jersey) on its list of sanctioned institutions for violating standards of academic governance, and removed Lindenwood University from this list.

Ryan Golden and Rebecca Schisler of the Mountain Echo at Mount St. Mary's University received the Martin D. Snyder Award for Excellence in Student Coverage of Higher Education for their work revealing that the college president wanted to purge students from campus, comparing it to drowning bunnies. In response, the president fired their faculty advisor, Ed Egan, and another professor. Eventually, the professors were reinstated and the president resigned.

The Iris Molotsky Award for Excellence in Coverage of Higher Education was given to Jon Marcus and Holly Hacker of the Hechinger Report for their article, "The rich-poor divide on America's college campuses is getting wider, fast." Marcus spoke about "the division that exists in higher education" where "the dumbest rich kids go to better colleges than the smartest poor kids." He noted, "Higher education is cementing people in place. It may even be making things worse."



Bruce Rosenstock, president of the UIUC Campus Faculty Association, spoke at the AAUP annual meeting against removing the University of Illinois from the AAUP censure list.

## Call for Proposals on Student Rights

The AAUP has issued a call for proposals inviting presentations on student rights and freedoms for its 2017 annual conference on the state of higher education, June 15–17 in Washington, DC. In 1967, during a period of intense student protests, the AAUP and four other groups issued a Joint Statement on Rights and Freedoms of Students. Many issues covered in the statement are as pertinent fifty years later as they were in 1967. Conference presentations may cover a broad range of issues, including access to higher education, rights of students in and outside the classroom, freedom from discrimination, student media, student-invited speakers, and student participation in government, activism, or labor organizing. Presentations on other topics related to the rights and freedoms of students past or present and on other topics of interest to a diverse, multidisciplinary higher education audience are welcome. For additional topic suggestions and submission guidelines, see the [aaup.org/CFP-2017](http://aaup.org/CFP-2017). Proposals are due by December 13, 2016.



# Join the AAUP!

The Greater Our Numbers, the Stronger Our Voice

If you care enough about the future of higher education, we hope you'll now take the next step and encourage your colleagues to join the AAUP at [www.aaup.org](http://www.aaup.org).



## Illinois AAUP

**Michael J. Harkins**  
President  
History, Harper College  
[mharkins100@gmail.com](mailto:mharkins100@gmail.com)

**Peter N. Kirstein**  
Vice-President  
History, St. Xavier University

**Diana Vallera**  
Secretary  
Photography Dep't  
Columbia College Chicago

**Alan Iliff**  
Treasurer  
Computer Science,  
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## Illinois Academe Editor:

John K. Wilson, [www.academeblog.org](http://www.academeblog.org)  
[collegefreedom@yahoo.com](mailto:collegefreedom@yahoo.com)

Send letters to the editor, article submissions, and chapter reports for *Illinois Academe* to [collegefreedom@yahoo.com](mailto:collegefreedom@yahoo.com).

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