It appears that Charles Miller, former head of the Education Secretary’s Commission on the Future of Higher Education, is going to get his way— at least in Texas. When the commission started meeting, the fear was that a call would be made for some type of mandatory standardized testing for college and university undergraduates. Miller was the major proponent of standardized testing and apparently will see his wish implemented in Texas.

Texas governor, Republican Rick Perry, has announced increased financial support for public higher education, but this is coupled with testing requirements for graduating seniors. Testing would include licensure exams or Educational Testing Service exams for various college majors. Although the results of these tests will not be required to graduate, they will effect the state funding of the institution. Governor Perry claims that the exit exams are required “to protect the integrity” of tax supported institutions.

As expected, faculty took a dim view of funding public higher education based on standardized tests. Charles Zucker, executive director of the Texas Faculty Association, stated: “I’d give a flunking grade to the testing proposal. There is now a widespread consensus in Texas that all of the K-12 standardized testing that we have done has not really worked. We’ve had massive amounts of teaching to the test going on, and now that there’s a consensus that has failed, the governor wants to institute the same plan for higher education.”

The major fields test will be provided by the Educational Testing Services (ETS) in fifteen undergraduate majors and MBA programs. It will be somewhat difficult to teach to the test because ETS tests for history but not philosophy, music but not art, and sociology but not anthropology to name a few examples. Raymond Paredes, commissioner of higher education in Texas, said that other tests would be needed to fill in these gaps.

Neither Paredes nor the governor discussed the financial impact of their agenda. All of the ETS tests cost $25 per student and will be purchased by the institution. There was no mention of the administrative costs which also will be significant. In all-too typical fashion, an unfunded mandate has been dumped on the Texas higher education community.

How does this initiative in Texas relate to Illinois? Illinois has already agreed to participate in a pilot project directed by the National Forum on College-Level Learning. The results of the testing were reported in Measuring Up 2006 with cautionary notes such as: results should be treated with caution because of the small number of test takers, and the scores of four-year institutions should be qualified because of a limited number of institutions participating. Nevertheless the results were published and the causal reader could easily assume their validity.

Margaret Miller, Project Director for the National Forum, has stated that she supports a “No Child Left Behind of the Collective Bargaining Congress.”

PROPOSED BY-LAW AMENDMENT

The following By-Law Amendment is being proposed in order to bring the Illinois AAUP in compliance with federal rules and to avoid the expense of a mail ballot to select delegates.

Addition to By-Laws, Article VI State Council of the Illinois Conference of the American Association of University Professors:

“By the nature of their position, members of the state council are eligible to serve as delegates to the Annual Meeting of the American Association of University Professors, the Annual Meeting of the Assembly of State Conferences and the meetings of the Collective Bargaining Congress.”

BECOME A PART OF THE IL-AAUP

Nominate an individual to be an officer of the Illinois AAUP or a member of the AAUP State Council.

Volunteer to help revitalize or start an AAUP chapter on your campus.

Email Pan Papacosta at ppapacosta@colum.edu.

American Association of University Professors of Illinois
P.O. Box 477
Chicago, IL 60614

Inside This Issue
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Controversy over a quick quiz.

STANDING UP FOR FUNDS
Ken Andersen examines the fight for education funding.

HOROWITZ AT DEPAUL
David Horowitz comes to DePaul, and engages in a debate about freedom of expression.

DEBATING THE KALVEN REPORT
University of Chicago officials and students debate Sudan divestment.

PRESORTED STANDARD US POSTAGE MAI L
ASTORIA, IL
PERMIT NO. 9
Dear Executive Inspector General Wright:

The following letter was written in 2007 by John Bambeneck, an academic professional at the University of Illinois at Urbana, to the Illinois Executive Inspector General. Bambeneck is suing the state for refusing to acknowledge his passage of the ethics quiz.

I have received your office’s letter stating that I was not compliant on the Ethics Quiz administered in December 2006. It is this letter which is the subject of my writing to you.

Your letter constitutes several significant breaches of procedure. First, if I am accused of a crime I am entitled to due process according to Article I Section 2 of the Illinois State Constitution. This right is also required by the Fifth Amendment of the Constitution of the United States of America, made applicable to the State through the Fourteenth Amendment.

Second, if I am accused of a crime, I am entitled to a hearing according to Article I Section 7 of the Illinois State Constitution. This right is also required by the Sixth Amendment of the Constitution of the United States of America, made applicable to the State through the Fourteenth Amendment.

Your letter states that because I spend only 8.78 minutes in reviewing the program training materials prior to completing the quiz that I did not carefully review the subject matter in the ethics exam and have not complied with the law. This assertion, on its face, is an accusation that I have committed a class A misdemeanor under Illinois law. I have been provided no opportunity to challenge, refute, or confront witnesses. Further, in order to become compliant, I must assert that I thought and constitutional questions and the benefit of a hearing, trial, seeing, or evidence, or otherwise challenging your claims. Your office, in coordination with the University Ethics Office, sent a packet which included a form on the back page that I must sign. This form reads:

"Acknowledgement of Participation in Ethics Orientation for Noncompliant Employees of the Agencies of the Illinois Government"

I have enclosed the revised form that I must sign to certify that I completed the program online and have read your additional materials. The revised form passes constitutional muster and doesn’t violate my rights or make any factual inaccuracies as to the allegations in your December 15th letter. I have enclosed the revised form not because I believe your claims have any merit whatsoever and they should not be considered in any way, but to provide you a means of knowing that I have reviewed the materials.

I have received your office’s letter stating that I was non-compliant, when I am, in fact, in compliance. The case law surrounding this right is substantial.

If I am accused of a crime I am entitled to a hearing according to Article I Section 7 of the Illinois State Constitution. This right is also required by the Sixth Amendment of the Constitution of the United States of America, made applicable to the State through the Fourteenth Amendment. What you have provided is not due process, you have provided no process. The case law surrounding this right is substantial.

Second, if I am accused of a crime, I am entitled to a hearing according to Article I Section 7 of the Illinois State Constitution. This right is also required by the Sixth Amendment of the Constitution of the United States of America, made applicable to the State through the Fourteenth Amendment. You are requiring that I admit wrongdoing in order to rectify this situation by publicly stipulating that I acknowledge the breach and thus be subject to disciplinary action. The case law surrounding this right is substantial.

Testing Ethics in Illinois

The Unethical Debates

The following letter was written in 2007 by John Bambeneck, an academic professional at the University of Illinois at Urbana, to the Illinois Executive Inspector General. Bambeneck is suing the state for refusing to acknowledge his passage of the ethics quiz.

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Third, if I am accused of a crime, I am entitled to the right against self-incrimination according to Article I Section 10 of the Illinois State Constitution. This right is also required by the Fifth Amendment of the Constitution of the United States of America, made applicable to the State through the Fourteenth Amendment. You are requiring that I admit wrongdoing in order to rectify this situation by publicly stipulating that I acknowledge the breach and thus be subject to disciplinary action. The case law surrounding this right is substantial.

Unethical Ethics continued on next page
Is this the year the Illinois Legislature and Governor will address the structural deficit and backlog of economic shortfalls covered by smoke and mirrors that characterize recent legislation? “Higher education must change,” Governor George H. Ryan said. But this year there may be grounds for hope.

The Chicago Tribune has run a series of editorials on education that has been perhaps the most responsive to individuals such as Dr. Thomas G. Brennan, the president of St. Augustine’s College. This college was not ready to perform the self-study. This disadvantage was 1999 when the college was last re-accredited by the NCA site visit—The second issue that undermined preparation for the crucially important accreditation was the college resoundingly voted “no confidence” in President Z. Then once preparations began, it became obvious that the college had great difficulty paying its annual debt obligation, the college could not raise the necessary funds to pay its obligations. If individuals such as you and I sit back and depend on the kindness of strangers, it will not happen. Only if we speak up and make the needs for higher education funding and tax reform known will it happen. We need to contact legislators, preferably one-to-one, write letters to the editor, and otherwise make this a concern to all Illinois citizens to make it happen. National attention continues to be focused on improving educational quality in an increasingly competitive world economy. Business is calling for college graduates with better critical thinking skills, better communication skills, and greater ability to work as members of a team. Improving the quality of teachers is a key nationally concerned about the subject of a recent paper by the Faculty Advisory Council to the IBHE.

The facts are that: (1) I can read fast, (2) I am relatively aware of the fact that the steal- ing University equipment and property is wrong, not be- cause I was aware of the actual contents of the material. Nevertheless, I finished the test too quickly because I’m too familiar ing educational quality and accountability while suggesting use of a Gross Receipts Tax adopted by such states as Delaware, Washi-

Fourth, if I am accused of a crime, I am entitled to a trial by jury according to Article I Section 13 of the Illinois State Constitution. This right is also required by the Fifth Amendment to the Constitution of the United States of America, made applicable to the State through the Fourteenth Amendment. In the effort to rush towards punishment, your office skipped the trial, the hearing, even the presentation of evi- dence and moved straight to sentencing. The case law sur-

The material is the substantially the same as last year and contains very simple and easy to understand concepts. I read the balance of the ethics training and take the test. As a public employee accountability is important and I remain open to anyone who wishes to verify my honesty and knowl-

Ken Andersen

St. Augustine Faculty Vote “No Confidence” in President

By Lee Malby

On November 13, 2006, the faculty of St. Augustine College resoundingly voted “no confidence” in President Z. Brennan. St. Augustine’s College was appointed President of St. August-

In no way should this letter constitute an exhaustive further defenses and facts as I see fit. The material is the substantially the same as last year and contains very simple and easy to understand concepts. I am familiar with the process of filing ethics complaints and of whistle-blower protections because I have filed ethics complaints in the past. I am familiar with the fact that using University equipment and property is wrong, not be- cause it’s written in a law book somewhere, but because I have common sense and a sound moral compass. I realize this may be a rare commodity among our elected officials and their bureaucrats in Springfield; however, that does not translate to the educated individuals on university cam-

So the law out-

Sixth, the allegations in your letter are factually false. If your office wishes to audit my understanding of ethics law you will have to find a way to do so other than with an exam. Instead, without trial, jury, or any process whatso-

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At an SGA debate between my friend Guiseppe and a conservative student, the moderator announced: “Seeing as how Student Government only limits the free speech of those at DePaul University, any criticism of student government will be taken as slander against the entire student body of DePaul and any person offering criticism will be written a warning.”

We saw this as a clear abridgment of our freedom of speech. Our only goal was to change student government and handed the fliers out anyway. We were then disqualified for handing those fliers out. This happened after Kent State, and students were murdered in public space. So when we endorsed the boycott on California grapes in solidarity with the United Farmworkers Union and Cesar Chavez.

So my question for Horowitz is: where were you then? Where were FIRE’s statements about DePaul threatening free speech during all these incidents? Where were the students who were injured when the students who just listed are examples of right-wing indoctrination, why doesn’t your net- work defend your students? We do with supposed left wing indoctrination. For example, in his blacklisting book “The Professors,” Horowitz spent a whole chapter on horowitz. He had written on his public Facebook account a series of notes where he calls Islam and homosexuality barbaric. He calls Chicago’s gay pride parade the scourge of America and armpit of Chicago and describes the satisfaction he received from flipping off a participant in the parade.

What about Thomas Krocik’s speech? Say, however, bigotry and falsehoods are not. In 1998 one student, James Rowe, who was on the Nazi Holocaust, Horowitz did not even spend a whole page on Arthur Butz, the engineering professor at North- Western who has written on his public Facebook account a series of notes where he calls Islam and homosexuality barbaric. He calls Chicago’s gay pride parade the scourge of America and armpit of Chicago and describes the satisfaction he received from flipping off a participant in the parade.

A similar thing occurred last year when a person Horowitz debated, Ward Churchill, came to DePaul. Conservative students and outside activists attempted to have his speech canceled and there was at least one bomb threat, but the event went on.

It is possible that Horowitz is not con- cerned with free speech as a whole but rather only defending a narrow spectrum of speech? If so, what is included in that spectrum? What kind of speech are you really defending? You have defended student Nick Hahn III, who moderated and hosted horowitz’s appearance at DePaul. He had written on his public Facebook account a series of notes where he calls Islam and homosexuality barbaric. He calls Chicago’s gay pride parade the scourge of America and armpit of Chicago and describes the satisfaction he received from flipping off a participant in the parade.

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By David Horowitz

Horowitz’s Reply

Gagged at DePaul: A Report about DePaul’s Visit

By John K. Wilson

Thomas Klocke had his silly gag on agriculture again, but he had no doubt getting it sent flying when it was his turn to speak. He brought the gag to the podium, declaring: “It may very well be put on again.” In the past, Klocke had seemed to be a bit unfamiliar to me, but my suspicions were confirmed appearing for a press conference about his suspension by DePaul University wearing a gag. I had to put in a bit of practice for the five videocameras in the room.

A crowd of 200 packed a lecture hall at DePaul University the evening of January 24, 2006 from firebrand professor Klocke to famed ex-radical David Horowitz. Although there were a lot of Horowitz critics in the crowd, there were no protests, and not even boooing of Horowitz’s most outrageous statements. Klocke gave a rather boring short talk on Jesus. Klocke worried about “the loss of free speech as a hallmark of the Catholic university.” He added, “the whole idea of a discussion of Catholic education is lost in the present.”

Horowitz had a very different idea of a Catholic education. Homosexually sauntering up to the crowd (“Go Beans”) he gave his usual disjointed, rambling speech. According to Horowitz, “Academic freedom is not just about speech. It is about the scientific process and who determines what is in the classroom.” And Horowitz has a pretty bizarre impression of what the academic professions means. According to Horowitz, it means following scientific method. He said, “If you are not Horowitz, you have a strange notion of the scientific method.” Horowitz claimed, “If there are any principles about the scientific method, Of course, the scientific method has nothing to do with teaching, and it certainly has nothing to do with theories about the marked removal of ideas and enough knowledge Horowitz doesn’t understand scientific method. He actually believes, “it is obligatory for every professor to obey scientific method” unless they are from the AAUP guillotine. In doing so, Horowitz confuses an ethical recommendation for teachers with an enforceable mandate. Horowitz declared that DePaul’s rules say that an instructor “must not introduce controversial matter that has no relation to the subject.” According to Horowitz, “This is a rule in the faculty handbook.” Perhaps Horowitz should try something a little crazier, like actually reading the handbook. In reality, the faculty handbook says nothing like this (oua.depaul.edu/content/documents/). It only declares that instructors have an obligation to “avoid significant infringement of matters of public interest.”

Horowitz claimed, “Everything I’ve done in my academic freedom campaign is entirely based on the AAUP statements.” In reality, none of his academic freedom visions are entirely different from the AAUP’s current positions, and the language is only similar when Horowitz tries to take recommendations for teaching and turn them into imposed rules.

Horowitz denounced Women’s Studies and Arab Studies at DePaul, claiming it is a political party which was made up for a press conference about his suspension by DePaul University. According to Horowitz, “It’s an organization based on AAUP guidelines.” In reality, the faculty handbook says nothing like this (oua.depaul.edu/content/documents/). It only declares that instructors have an obligation to “avoid significant infringement of matters of public interest.” Horowitz claimed, “I have never called for or supported academic freedom.” According to Horowitz, “I have never called for or supported academic freedom.” DePaul, stepping forward to defend her department, declaring that “We encourage people to think for themselves” and “we do not support people who want to destroy our personal freedoms.”

Horowitz, who, unconcerned with the fact that he had no evidence for any of his claims, declared, “you indoctrinate students” and adds, “I just listed examples of right-wing students.”

Horowitz thinks we should take lessons on civil discourse from someone who throws around all kinds of accusations, not from avoiding politics from a Republican Party hack. lessons on intellectual standards from someone who doesn’t even bother to read or accurately summarize the departments he denounces, and lessons on academic freedom from someone devoted to destroying it.

High Education

Legislative Coalition Report

Former teacher, legislator, congressman, Illinois gubernatorial candidate, and current President of Southern Illinois University, Glenn Poshard met with the coalition on January 9, 2007. He began by giving a history lesson. At the beginning of this nation, education was provided only to those of wealth at Christian based universities located in the Eastern United States. Education expanded beyond the wealthy via the Morrill Land Grant Act signed into law by Abraham Lincoln in 1862. George Morrow created the Land Grant University Legislative Coalition Report

Judy Irvin, Executive Director of the Illinois Board of Higher Education, also spoke to the twenty two members of the coalition. She reiterated the message of Poshard, that unless that higher education constituencies are willing to put forward a much greater effort in the legislative arena, the general assembly will continue to fund higher education in a low priority status. She gave a direct charge to the coalition to use the strength of coalition members present at the hearing.

One of the topics discussed in response to Poshard and Irvin’s comments was how to engage the college and university president. Another issue was whether or not they have not expressed any interest in personally being present at coalition meet- ings, which was the subject of a recent survey. The answer is that he didn’t exist before 1997.)

But he has not bothered to acquaint himself with what I stand for and have defended since 1981, which is the subject of his altercation with DePaul’s faculty, students, trustees, retirees, alumni, and peace studies department. The answer is it didn’t exist before 1997.)

219x495

It is true that Muchowski asked me to sign letters defending Norman Finkelstein’s “academic freedom,” which Muchowski’s document claimed was threatened by those wanting to deny him tenure. As I explained to Muchowski then, I am not qualified to pass judgment on Finkelstein’s tenure appli- cation and I don’t see how, at this stage of the process, it is an academic freedom issue. The Vagina Monologues issue falls under the principle stated above: DePaul is a private Catholic institution. It has a right to preserve its identity as a Catholic institution, just as a privately funded University of Marxism would have a right not to assign The Gulag Archipelago to its students. I would not send my child to such a university – not that I would destroy our personal liberties as well.
University of Chicago response to crisis in Sudan

February 2, 2007
From: President Robert J. Zimmer
Subject: Response to Divestment Proposal

I appreciate your willingness to engage in deliberations over the past months about the University’s investments in the context of these deliberations. I provided a summary of the range of views I heard on this issue, and to inform you of the decision of the Board of Trustees on the proposal.

After lengthy discussions on this topic, the Board determined that it would not change its investment policy or its longstanding practice of not taking explicit positions on political or social issues. As a result of these considerations, the Board of Trustees has decided not to divest from targeted holdings in companies whose business activities are understood to be supporting the Khartoum regime and thereby capacitating its activities in Darfur.

The campus discussions have been driven in large measure by a student movement that has been ongoing for over a year at the University of Chicago (UChicago STAND, Take Action Against Genocide in Darfur) chapters, each working to mobilize local resources in an effort to have an impact upon the violence in Sudan. The students involved in the University of Chicago chapter have argued that universities can play a positive role in the Sudanese conflict by divesting investment holdings in companies whose business activities are understood to be supporting the Khartoum regime and thereby capacitating its activities in Darfur. They have also argued that, because the University has historically not acted as a corporate body on social and political issues, the University’s choice of investments speak not only to its values, but in actuality, to the exceptional instance . ...
The University nonetheless defends its investment choices, not for any pragmatic or economic reasons, nor because it is obligated to do so by the requirements laid out in the Kalven Report. The Board may be motivated by a concern about the perception that they are not contributing to the solution of the crisis. We reason that they are not, but it is not our concern to convince them, or to tell them, explicitly, that “the University’s holdings in targeted companies may on any day be nonexistent or de minimis.” We know this decision is not compelled by a formal policy requiring retirement in the face of genocide, because the University admits that the Kalven Report does not require divestment even in exceptional circumstances. The University could reasonably have concluded that the mass extermination of 400,000 innocents qualifies as exceptional. But they chose not to. They chose, instead, to make a moral argument in defense of divestment, but to the lack of diversity of those allowed to participate in those discussions. Only a few parties were involved in discussion, the student support for divestment was widespread throughout the University, especially the Law School, Medical School, and Humanities and Social Sciences divisions. Some of the 110 faculty members who have officially lent their support to the campaign include such prominent professors as Drs. James Bowman, Mary Mahowald and Eugene Goluboff. There are students at the School of Social Service, the Division of Social Sciences, Wendy Doniger of the Humanities Division, as well as the four department chairs and one dean. The movement for divestment from Darfur has been the broadest and most vocal expression of student opinion since the University dealt with the Vietnam War.

Although the University decided not to divest from South Africa in 1987, the Board of Trustees allowed a student-faculty delegation to address them at their meeting, and President Zumberger approved the delegation’s request to adopt a divestment policy. Since that time, the University has demonstrated an even greater disregard for diversity concerns. In the movement for divestment from Darfur, our request to send a joint faculty-student delegation to a Board meeting to answer questions about the targeted divestment model was summarily dismissed. After repeated requests, administrators refused even to release us to the dates of trustee meetings.

As President Zimmer acknowledged, this campaign successfully accomplished the University’s core value of “engaging the broadest range of perspectives” on divestment. But we must ask ourselves, why? What value is this free discourse held so sacred by the University, if it does not lead us to adopt a humane and moral view of the world? What is the purpose of engaging this broad range of perspectives if the decision-making body of the University is not even aware of them?”

The reality of genocide in our time is as tragic as it is undeniable. The horror of these crimes against humanity is only compounded and exacerbated by the fact that our University is complicit in genocide. Free inquiry and diversity of opinion are certainly laudable goals to strive for, and the principle of diversity leads to the conclusion that institutions of higher education should encourage and protect the vitality and integrity of the atmosphere of universities much beyond this campus.

The need to be this concerned about academic freedom is itself a warning bell. Ideally, academic freedom should function as the oxygen of the life of the mind—indispensable, yet invisible and so strongly presupposed that its defense is superfluous. As with oxygen we become acutely conscious of academic freedom when it is present in sufficient quantities for normal, healthy breathing. When academic freedom is threatened, the most telling response, is vigorous defense on principle.
CHAPTER REPORTS

SAINT XAVIER UNIVERSITY

The Saint Xavier University chapter of the American Association of University Professors is pleased to announce the election results for its Executive Committee. These terms will run until January 2009:

Jack Leahy, Religious Studies, DePaul University, and past president, IL AAUP:
1) Academic issues in religious affiliated institutions.
2) Contingent faculty.

John K. Wilson, editor of Illinois Academic, will publish his newest book, Patriotic Correctness: Academic Freedom and Its Enemies (Paradigm Publishers) in August 2007. All Illinois AAUP members are invited to bring him to your campus as part of his book tour. For more information, email collegefreedom@yahoo.com. Read his blog at collegefreedom.blogspot.com.

Ken Andersen, Speech Communication, University of Illinois at Urbana-Champaign, past president, IL AAUP:
1) Shared Governance and Due Process; 2) Academic Freedom & Tenure.


Joseph Felder, Economics Bradley University, Secretary, IL AAUP (member of AAUP National Council):
1) Academic challenges of the national AAUP office;
2) Types of services and assistance from the national AAUP office.


Pan Papatosta, Columbia College in Chicago, and president, IL AAUP:
1) Academic Freedom & Tenure; 2) The significance of the Faculty Handbook.

Lawrence Poston, English, University of Illinois at Chicago:
1) Academic freedom and tenure; 2) Academic governance.

Leo Welch, Biology, Southwestern Illinois College, and past president, IL AAUP:
1) Legislation and academia; 2) Collective bargaining issues in academia.

The AAUP speakers bureau is generally available free of charge to AAUP chapters, and the Illinois AAUP can cover most expenses. We invite all our chapters and members to make use of this Speakers Bureau.

Email collegefreedom@yahoo.com for more information on contacting a speaker or nominating someone to be a part of the IL AAUP speakers bureau.

FREE PRESS, FREE STUDENTS

In Washington, students are campaigning to support a bill that would protect freedom of the press in both public colleges and high schools. California’s new law protecting freedom of the campus press went into effect January 1. In the wake of the Hosty v. Carter case in Illinois, this is the one where this kind of legislation is most needed, but no legislation has been introduced yet.

What Would Jesus Ban?

AAUP president Cary Nelson wrote on Inside Higher Ed in December about his experience of being banned from teaching about religious poetry at a religious group’s secular program. The program, sponsored by the Illinois Humanities Council, is supposed to promote free expression, but the Reverend in charge decided to protect the men in the class from hearing critical ideas.

Arizona’s Professors Under Fire

What’s the price of free speech. In Arizona, it might be $500. A proposal bill in Arizona would impose a $500 fine on any college instructor who commits the following thoughtcrimes: "Endorse, support or oppose any pending, proposed or enacted local, state or federal legislation, regulation or rule" or “Advocate one side of a social, political or cultural issue that is a matter of partisan controversy.”

Contingent Faculty Measured

In the AAUP Contingent Faculty Index 2006, the American Association of University Professors provides data to document the increasing predominance of non-tenure-track faculty in America’s colleges and universities.

The study by John W. Curtis and Monica F. Jacob examines the causes and consequences of increasing reliance on contingent faculty.

Read the report and appendices providing data on each college at: http://www.aaup.org/AAUP/pubsites/research/contm2006.htm.