

President's Message

Michael Harkins
President, Illinois AAUP



On Saturday, April 16, the Illinois Conference of the AAUP will present the Spring 2016 Conference at Dominican University in River Forest, Illinois. This year's themes will focus on Free Speech, Adjunct Rights and the Taming of Corporate Higher Education. Our speakers will include National President Rudy Fichtenbaum who will address the Crisis in Higher Education, board members Leo Welch and Linda Brookhart who will delve into the current budget crisis in Illinois and discuss current legislative initiatives in Springfield impacting higher education faculty. Robin Meade of Triton College will share her powerful story concerning adjunct instructors who stand for free speech and adjunct rights.

For faculty interested in shared governance the session by Professor Michael Grossman will present the University of Illinois' model of faculty governance. Professor Grossman has extensive experience with effective and relevant shared governance models.

Please plan to attend on April 16 and participate in these timely, enriching and faculty-oriented sessions. Each presenter will allow time for attendees to ask questions and engage in discussion. To attend this program please register with Conference Secretary Diana Vallera at diana@studioera2.com.

The National AAUP meeting and the Association of State Conferences meeting (ASC) will convene in Washington, D.C. June 15-19, 2016. I encourage all Chapter leaders and members to attend the meetings, forums and special workshops. The exchange of ideas, sharing of experiences and recognition of our members are just a few of the benefits associated with this experience. Your participation and attendance will further affirm our professionalism and faculty unity. Collectively, we must continue to protect our academic freedom, shared governance and tenure.

Each year prior to the national meetings, the Illinois Conference has the opportunity to elect delegates and alternates to both meetings. Interested faculty should review the process outlined in Academe and on our website. Members of AAUP in good standing may nominate candidates or self-nominate.

Over the past few months our officers and board members have been working with Chapters and faculty members impacted by the current state budget crisis. National is well aware of the situation and has provided support and expertise. Please continue to update us as events unfold within your Chapters and institutions. Members who do not have a Chapter should consider starting one. Active Chapters contribute to strong state Conferences. Our Conferences contribute to an active and effective National organization. Together we can protect higher education and the values so vital to our profession of teaching and research.

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 - June 19, 2016 in Washington, DC. The Illinois Conference may elect up to two Delegates and one Alternate Delegate to the Annual meeting and three 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, leo.welch@swic.edu

Regular mail must be postmarked no later than April 18, 2016. Email must be sent no later than midnight, April 18, 2016.

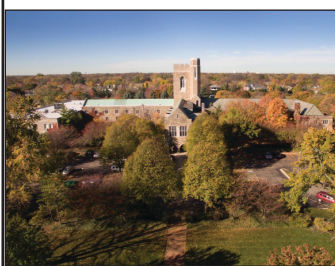
In submitting a nomination or self-nomination please include the name, institution, Delegate position sought, either National meeting Delegate or Alternate or ASC Delegate or Alternate, and email address of the individual nominated. Please note all Delegates and Alternates must register for the Annual Meeting and attend the appropriate meeting.

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

THE FISCAL CRISIS IN HIGHER EDUCATION



SEE ARTICLES ON PAGES 2-5



Illinois AAUP Annual Conference

Free Speech, Adjunct Rights,
and the Taming of Corporate
Higher Education

Sat. April 16, 2016, 9:15am-4pm
Dominican University-Priory, River Forest, Illinois

9:15 A.M. Introduction

9:30 A.M. - 10:45 A.M. Session 1 - "Neoliberalism, Corporatization and the Crises in Higher Education," Rudy H. Fichtenbaum, AAUP President.

11:00 A.M.- 12:00 P.M. Session 2 - "The Higher Education Crisis and Current Legislation," with Linda L. Brookhart, Executive Director, State Universities Annuitants Association, and Leo Welch, Southwestern College, Belleville, Illinois.

1:15 P.M. - 2:00 P.M. Session 3 - "Fighting for the Future" presented by Robin Meade, Adjunct Instructor, Triton College, River Grove, Illinois.

2:15 P.M. - 3:30 P.M. Session 4 - "Faculty Participation in Shared Governance: An Urbana-Champaign Perspective" presented by Dr. Michael Grossman, Emeritus Professor, University of Illinois at Urbana-Champaign.

3:35 P.M. - 4:00 P.M. General Membership meeting and elections.

All sessions will be held in the East Dining Room at Dominican University's Priory Campus, 7200 Division St., River Forest IL. The General Membership meeting and election is open to all current members of the AAUP. The Conference program is free and open to all faculty in higher education, but you must RSVP by April 14 to Diana Vallera at diana@studioera2.com.

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

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THE FISCAL CRISIS IN HIGHER EDUCATION

University of Illinois President Tim Killeen

Remarks by University of Illinois President Tim Killeen to a State Senate education committee on March 17, 2016.

Our conversation today is about much more than next year's appropriation. Or even this year's appropriation, which has now hung in limbo for a record eight months and counting.

It is about the damage that lies ahead if we don't act now to restore the long partnership with the state that built our flagship university system and made it a key engine of progress for Illinois and our nation.

It is not a question of shutting our doors. We won't. We have been around for nearly 150 years and expect to be around for 150 more.

It is a question of quality – maintaining the excellence that has made the U of I one of the premier university systems not just in the state and nation, but in the world.

Excellence is what attracted a record 80,000-plus students last fall across our three campuses, and more than 56,000 applications from prospective freshman for next fall – record demand that is up 13 percent from the year before.

Excellence is what draws world-class faculty – Nobel, Pulitzer and MacArthur genius award winners and members of the nation's most prestigious national academies.

They are at the center of our global standing – the magnet for top students and nearly \$1 billion in research funding that perennially ranks among the top 10 or 15 university systems nationwide.

Those are dollars that would go elsewhere if not for their leading edge scholarship – and dollars that promise breakthrough innovation that creates new businesses, new jobs and economic growth.

Excellence has built a university system that pumps \$14 billion into the state's economy every year ... a system with 700,000 alumni, including more than 260,000 here right here in Illinois, numbers that continue to grow through our 20,000 new graduates every year ... a system that graduates more

world-class engineers than MIT, Cal Tech and Stanford combined by more than 1,000 a year ... a system that lays claim to nearly 1,000 issued patents and more than 250 startup companies.

It takes generations to build a world-class university, but only a few short years to destroy it.

That clock is ticking.

Just consider the growing financial challenges that threaten our standing as a go-to destination for talent.

The budget impasse has left us with more than \$600 million in vouchers that would normally have been paid by the state – money that is crucial to support our academic programs and day-to-day operations.

We are managing through, but burning quickly through our resources. These resources were set aside for critical modernizations of classrooms, labs, IT systems, and hundreds of millions of dollars in deferred maintenance of our facilities in the absence of capital funding. Once exhausted, the pain will be felt more acutely across our campuses and around the state.

The uncertainty alone threatens harm, as our peer universities reach out to top faculty and leading researchers with offers that we can't currently match – the promise of stability and security.

Our most vulnerable students also are at risk, with MAP grants among the casualties of the impasse.

Restoring MAP funding is essential to assure more than \$60 million in aid next year to support more than 15,000 students university-wide.

The ripple effects of the impasse also are being felt by our hospital and clinics in Chicago – a health-care enterprise that is critical to underserved populations and provides more than 450,000 patient visits every year.

Even if an agreement ends the impasse, more threats lie ahead.

Governor Rauner's budget blueprint proposes a 20 percent reduction in our ap-



propriation for fiscal year 2017, a cut of about \$130 million compared to final fiscal year 2015 levels.

A cut of that magnitude would impact everything we do – from academic offerings to student services; from time-to-degree to graduation rates.

But to give you at least a broad perspective, if absorbed through payroll alone, it would amount to nearly 2,000 employees – about 800 more than the number of workers who lost their jobs when Mitsubishi's auto manufacturing plant in Normal closed last year.

We are committed to building on our long history of service to the people of Illinois, not falling back.

So we are proactively examining our operations from top to bottom in search of efficiencies, and implementing structural reforms to ensure our campuses continue their legacy of excellence.

For example, more than 360 positions have been trimmed during the current fiscal year through campus reviews and a hiring freeze in central administration.

And administrative units have been directed to reduce spending by \$27 million annually in Urbana and by more than \$13 million in Chicago.

But we cannot do it alone. Maintaining our greatness requires the state's support –

a recommitment to our long and productive partnership.

The stakes are high. A world-class University of Illinois is a key to a better tomorrow for our state. A run-of-the-mill U of I would leave it sputtering.

It would carve into the very core of our service to the state – providing next-generation workers and innovation, and opening doors of opportunity that transform students' lives.

It would stifle our leadership role in promoting diversity – a commitment that extends from enrollment and hiring to our vendor network.

Yesterday, our board awarded the first contracts under the state's new sheltered market initiative – signing on 28 minority- and female-owned firms to provide IT services for our campuses. It was first by any state institution in Illinois.

But it is another critical effort that will fall by the wayside without the state funding to help support it.

We are committed to the students and families of Illinois, and to building on our legacy of excellence to help lead progress for generations to come.

We hope you will join us.

This is a time to turbo-charge your investment in the University of Illinois, not to siphon it down.

Illinois Legislative Report By Leo Welch

Bill #: HB 403

Sponsor: (Franks) D

Amends various Acts relating to the governance of State universities. Provides that provisions that permit the children of employees of a State university who have been employed by any one or by more than one State university for an aggregate period of at least 7 years to receive a 50% tuition waiver do not apply to students enrolled at a State university after the 2015-2016 academic year.

Assignment: Rules Committee 4/24/2015

Bill #: HB 251

Sponsor: (Sosnowski) R

Requires at least three-fourths of all bargaining unit employees who are members of the exclusive bargaining representative to vote affirmatively to authorize a strike (makes the 75% strike threshold Chicago has effective statewide).

Assignment: Rules Committee 3/27/2015

Bill #: SB 72

Sponsor: (McCarter) R

Omnibus bill; Prohibits project labor agreements for any school construction project or grant. Eliminates certain mandates, including Driver's Education. Prohibits school districts from entering into certain collective bargaining agreements.

Provides that Board of Education may exempt school construction projects from prevailing wage.

Assignment: 10/10/2015

Bill #: HB 429

Sponsor: (Morrison) R

Requires employers under SURS and TRS to pay present value of any increase in benefits resulting from salary increases above the rate of inflation (currently, salary increases above 6%); *Is nearly identical to HB 4984

Assignment: Rules Committee 1/30/2015

Bill#: HB 1334

Sponsor: (Franks) D

Retirement Means Retirement Act: Provides that if an annuitant of a retirement system or pension fund under Illinois Pension Code becomes re-employed with a similar position within same agency, his or her monthly annuity above \$2,000 must be offset by the amount of his or her compensation, earnings, or salary.

Assignment: Personnel and Pensions Committee 2/4/2016; hearing on March 3

Bill #: HB 3424

Sponsor: (Morrison) R

Creates a self-directed retirement plan for all new members to five-state pension plans, hired on or after effective

date. Transfers active participants and new members hired on and after effective date into a self-directed retirement plan (defined-contribution plan); "buys-out" active participants with prior service credit under the defined-benefit plan by paying the amount of accrued benefits to the participant based on their final average salary; prohibits AAI for some annuitants; establishes new schedule for vesting in employer contributions.

Assignment: Rules Committee 2/26/2015

Bill #: 3661

Sponsor: (Fortner) R

Merges and consolidates SURS, TRS, and Chicago Teachers Pension Fund into the Illinois Teachers' Retirement Fund ("ITRF"). Transfers SURS, TRS and CTPF members and beneficiaries into the ITRF; among new requirements for paying more into system; new state contractual requirements to fully fund the ITRF by FY 2047. *Look at bill for all changes.

Assignment: Rules Committee 2/26/2016

Bill#: HB 3828

Sponsor: (Ives) R

Creates a Tier 3 Defined-Contribution Pension plan; requires all 5-state funded pension systems to create Tier 3 (Rauner's proposal from looks of it).

Assignment: Rules Committee 2/27/2015

Bill #: HB 4398

Sponsor: (Nekritz) D

No earnings or service credit for unused sick or vacation time; prohibits payments for unused sick or vacation time from being calculated as part of the final rate of earnings of individuals who first become participants of SURS on and after the effective date of the legislation. *Bill is very similar to SB 104, as introduced.

Assignment: Personnel and Pensions Committee; hearing 3/3/2016

Bill #: SB 2163

Sponsor: (Connelly) R

Requires Board of Trustees of each public university to post a public notice with following info 30 days prior to voting whether to increase an employee's earnings above 6% from previous academic year, for any academic year used to determine the final rate of earning under SURS: 1. Name and person receiving increase in earnings; 2. The amount of the increase in earnings expressed as a dollar amount and percentage; and 3. The present value of the increase in pension benefits resulting from the increase in earnings in excess of 6%.

Assignment: Subcommittee on Public Higher Education Executive Compensation 2/17/2016

Governor Rauner Vetoes MAP Grants

By Peter Kirstein

Right-wing ideologue, Governor Bruce Rauner, has indeed demonstrated his disdain for the vulnerable and marginalised working class of Illinois.

A bright, luminous red-state reactionary in blue-state, pro-union, pro-labour Illinois, he has vetoed a bill that would have given \$721,000,000 to help fund higher education for income-challenged students.

The Illinois General Assembly, which marked the beginning of Barack Hussein Obama's political journey as a state senator, had passed the bill several weeks ago. The programme is known as the Monetary Award Program but is almost always referred to as M.A.P. It provides an average of about \$2800 to low-income students

that defrays tuition at state and private universities across the state of Illinois.

One of the recipients of M.A.P. money is Chicago State University—a predominantly African-American public university. While C.S.U. has a history of fiscal mismanagement, its students may find themselves without a university come April. The institution states it will not be able to make payroll due to the Rauner war on higher education, and his scorched-earth campaign against Illinois residents who are too poor to pay college tuition.

Governor Rauner's veto is part of a larger battle in reaching a budget in a state with admittedly extreme and severe financial challenges due to decades of mismanagement.

Mr Rauner, a Republican, was elected governor largely as a demand for greater fiscal responsibility. He was not elected to deny education to the poor; he was not elected to use his power and authority to destroy the higher-education system in the state; he was not elected to terminate possibly the capacity of many tuition-driven universities—such as my own—and colleges to continue functioning without state support.

This governor of ours owns nine homes, and his annual income was about \$53,000,000 before he became governor in 2014. Mr Rauner was chairperson of R8 Capital Partners, and ran the private-equity firm GTCR whose headquarters are in Chicago.



Illinois Colleges Under Attack By Rauner

By Kai F. Hung

I want to begin by telling you that I had all the intention of writing a kick-ass speech about the importance of public investment in higher education; about how public universities are the great equalizers against the vagrancy of life, so that the people who didn't win a birth lotto to be born into stable, economically prosperous households, may also have a chance to compete in the economic market and make a better life. I wanted to talk about how uniquely placed public universities are to serve this critical role in maintaining social mobility and to soften class boundaries. I wanted to talk about the immeasurable value of a liberal arts education that preserves our humanity disciplines. I wanted to cite inspiring quotes and give you a barrage of statistics to support that claim.

All in 5 minutes or less.

But now I must apologize because I didn't get any of that done. I just couldn't get it done because I am just so angry right now.

On Wednesday, two days ago, 3 of the unions at EIU — UPI, AFSCME, and Plumbers and Pipefitters, organized an event where we planted on red flag on our campus library quad for each EIU employee who has been terminated since Fall semester.

Do you know how many red flags we used?

Two hundred and sixty one.

If I scale that to the size of UIUC, which is roughly 55,000 students, faculty, and staff, then that would be 1,436 employees. On our campus, that is 1 in 4 civil service staff being laid off. In fact, today, right now, right this minute, 177 of our colleagues are saying goodbyes.

Welcome to Rauner's Illinois: Please wipe your feet and leave your hopes at the door.

Many of these people have worked at EIU, sometimes at the same department, for over 20 years.

My colleagues are losing their jobs because Rauner has refused to send a single penny to public universities.

They are losing their jobs because Rauner would rather see our schools collapse than lift a finger to help.

They are losing their jobs because Rauner thinks that his political gains are worth more than our city's prosperity.

They are losing their jobs because of Rauner.

No, I am done with the false equivalence. I am done with using the euphemism of "Springfield" or "our government." I am done trying to lighten the sting of the criticism by adding the obligatory "but sure, Madigan is to blame in some part, too."

No, I am fucking done with that shit.

There are no justifiable reasons why

Rauner couldn't fix our budget while keeping some funding to our schools.

There are no justifiable reasons to deny the MAP grant money so that our economically disadvantaged students could get the money that they were promised and stop worrying about their finance.

There are no justifiable reasons why Rauner couldn't have used his line-veto power. He chose not to line veto items that he dislikes in a bill and instead, he chose to summarily veto all the higher education funding bills.

In the FY2016 budget, Rauner proposed a 30% cut across the board for higher education. In the FY 2017, He proposed 20% cut across the board for higher education.

And the kicker? In that same FY2017 budget, he proposed an increase of 40% in the budget for prisons and correction facilities. Is it not clear where he'd rather see our next generation end up at? Kill the universities, grow the prisons. Welcome to Rauner's Illinois: Please wipe your feet and leave your hopes at the door.

Many people refuse to believe that this is a deliberate attack on public higher education, with the ultimate goal of eliminating public universities. This past December, Rauner visited DeVry University in Chicago and proclaimed that he wishes all higher educations are run like this — for profit, where our next generation's access to economic stability is commoditized, traded, bartered, exploited.

To those people, I say, WAKE UP! Look to Wisconsin. Look to Kansas. Look to Pennsylvania. Look to Louisiana. It is the same story. And I bet pretty soon, Kentucky will join this list.

The toxic political ideology of painting the government as a destructive, inept agent is bearing poisonous fruits. The act of deliberately destroying the government's capacity to function in order to create a crisis to blame the government and the public sector workers has become an art form. And right now, in Illinois, public higher education is the top billing star of this absurdly destructive performance titled "How Illinois dies and loses its soul."

But there is still hope. There is still hope if we all mobilize and if we all start to hold our elected officials accountable for their actions.

Be politically aware. Be politically active.

Use your voice to speak out, and to speak for those whose voices have been silenced.

We need you. In solidarity.

Starving Public Higher Education in Illinois

By Janet Smith, President, UIC United Faculty

While our Governor lives high on the hog, our students and campuses are being starved. Chicago State University recently declared fiscal exigency. Northeastern Illinois University just announced furloughs beginning Monday and Southern is now planning layoffs while other state universities consider and do the same.

These are truly frightening times. Besides layoffs, the bond ratings of most public universities in Illinois are near or at junk status. This is because we do not have a budget, which in part is because our current governor wants to change the collective bargaining rights for public employees.

As a relatively new union that fought hard for these rights, we along with the hundreds of thousands of public sector employees in Illinois, cannot allow this. While not all support unions, the simple fact is that they make a positive economic difference to employees and their communities as recently reported in What Do Unions do for the Middle Class? a study completed by Richard Freeman from Harvard along with Eunice Han, Brendan Duke, and David Madland.

And unions make a difference in public higher education. Our union has worked hard to fight back the loss of tenure and to provide more security for those without

tenure. This last contract we were able to get multi-year contracts assured for nearly 2/3 of our NTT faculty and raise the starting salary to \$42,000. While we always are striving for more, our efforts will always focus on preventing the further erosion of the teaching mission and reverse the trends that all public higher education have followed.

We applaud you all as we strive together to "Keep the Public in Public Higher Education." Public higher education is more than a line item in a state budget; it is the infrastructure of our democracy. It is not just a means to a job, but a means to a more just and democratic society.

We need to return to our radical roots where PUBLIC higher education was valued and understood to be the seeds of a better future because we had a well-rounded public prepared to engage in debate for the good of all the people.

It's hard to think of that world when today at my campus — in the spirit of supporting free speech but also commerce — Donald Trump will be speaking. Thousands are gathering to exercise their free speech, to protest against the hate mongering and vitriol that his campaign has brought to our political arena. Let us all hope that it is peaceful and that our students and community — both inside the pavilion and outside it are safe.

While the Trump campaign has created

great strife at our campus, he will leave it tonight. Our larger and more pressing concern is the state of our state.

It's not easy these days to work in public higher education when you have a Governor holding hostage support for students. When he recently vetoed the Monetary Assistance Program funds that rightfully belong to our campuses to support thousands of students around the state, including 8,000 at UIC, the governor said it was because of bloat. This feeds into a larger image of a bloated public sector that includes public higher education. However, if the Governor really wanted to cut bloat, he might start in his own offices.

But rather than point fingers and strike budget line items, we need to reframe the problem and the solutions. The public good relies on responsible people making decisions for the people who elect them to represent them in office. Currently, many feel and I do too that this is not the case. Putting aside the people elected, we need to focus on reframing the problem.

We are in a fiscal crisis because we allow some taxpayers to not pay their taxes including large corporations like McDonalds. If the average citizen has to pay, why do we allow corporations that make serious profits and pay low wages, to not pay their share? Their contribution alone would more than fund the MAP program.

The point here is that if we are to really

keep the public in public higher education, then we need to value the public and make it a priority. This doesn't require radical thinking — though in Illinois we would benefit from a progressive tax, something we do not have yet. The radical thinking more people are proposing is simply making some people follow the rules like the vast majority of us do already.

But keeping public higher education public is more than the funding. It's also about a cultural point of view that has valued private education for a few relative to the many who cannot afford it or get access. The disturbing trend is in the fact that we are seeing a growing and deepening divide between the rich and the poor and middle class when it comes to accessing higher education. Even as private institutions amass huge endowments to support lower-income students, the slots are limited and far fewer than the students who merit them. But even then, public higher education should not be seen as the second choice. A vast majority of students and faculty CHOOSE public higher education because they believe in it and value what it can offer EVERYONE.

As we watch the dismantling of the Wisconsin Way to the north, with the evisceration of the UW system which for so long made it possible for so many to attend a highly respected public university system, we have to keep vigil in our own state.

THE FISCAL CRISIS IN HIGHER EDUCATION

Defending EIU: We Are Not Your Whipping Boy

By Kai F. Hung

Currently, EIU is facing 2 separate, but interconnected sets of problems. The first one is the threat of having to close our school due to a lack of appropriated fund from our state. The second one is the crippling consequences to our institution as we continue to be deprived of state support.

The first problem is entirely a political problem, unrelated to money or revenue. We are facing the possibility of having to close our schools even after eliminating over 250 positions at EIU because we have not received any appropriation from the state. This is happening because Governor Rauner refuses to compromise on a budget without forcing his Turnaround Agenda items through. Since part of the agenda is to eliminate the bargaining rights of public employees, I support the Democrats for standing firm against it and not letting Governor Rauner kill public employee unions in Illinois.

The second problem is structural and persistent, starting in the early 2000s before Rauner was even a factor. Both Democrats and Republicans contributed to the creation of this problem. To wit, the bill sent to Rauner for signature, which he vetoed, contained a 6.5% cut to higher education. That is the structural and persistent problem. The current crisis at EIU is often attributed to the budget shortfall in Illinois, where we are taking in less revenue than we need. The reasoning goes that the whole state is suffering, and public higher education needs to do its share of helping the state find a way out of the financial crisis. In addition, the declining enrollment at EIU is cited as justification for the lack of funding.

Both of these notions are wrong.

Divestment is the opposite of investment, i.e., it is the withdrawal of support from an enterprise. Divestment is what the state of Illinois has done to EIU in the past 12 consecutive years. After adjusting for inflation, the state of Illinois is providing 68% of what it appropriated for EIU in the year 2000 (Figure 1). This decline began in 2004, and has continued apace relentlessly, regardless of enrollment level during those years. For instance, the highest enrollment of student FTE (full-time equivalent) for EIU was 11,002 in 2006. That year, Illinois appropriated 15% less than the 2000's budget, even though the enrollment was 14% higher.

The state did not respond to the rise in enrollment in the following budget year (2007), either, and in fact appropriated only 84% of 2000's budget level. Without a doubt, Illinois' policy in funding EIU has been to reduce its contribution without regards to our enrollment numbers.

When taken as a percentage of total revenue for EIU, the state's contribution declined over time, going from 33% of EIU's revenue in 2000 to merely 17.5% in 2014 (Figure 2). At 17.5%, the state is paying a little over 1 part in 6 of EIU's operation. This is what passes as supporting a public university in Illinois. Despite the falling state support, EIU stabilized the percentage of tuition and fees in our revenue to make sure that the state's divestment will not further impede Illinoisans from attaining a college education. We even managed to lower the percentage of student contribution to our operating cost in the last two years.

Taken together, we can see that EIU has been buffering the decline in state appropriation and managing to pro-

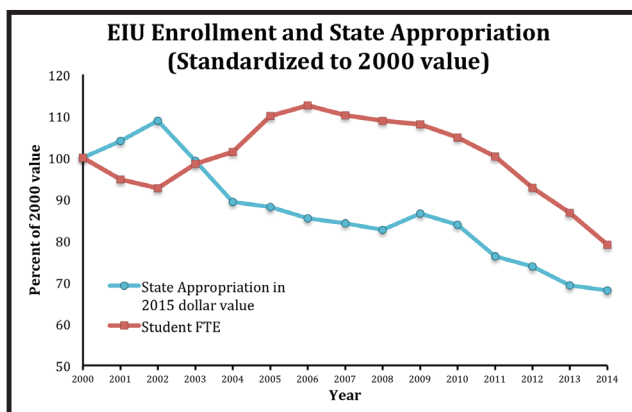


Figure 1. EIU Enrollment and State Appropriation since 2000. State appropriations are adjusted for inflation to the 2015 dollar value. Data are presented as percentage standardized to 2000 values.

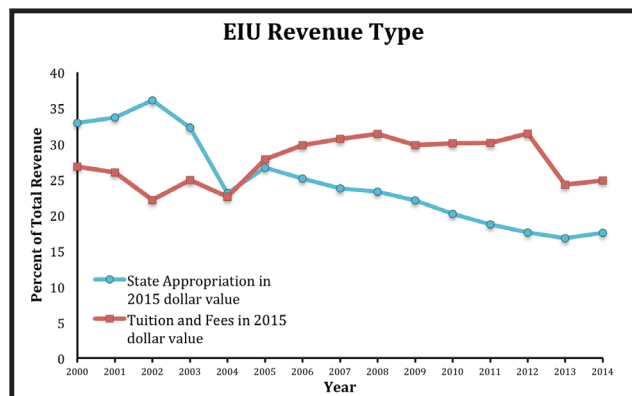


Figure 2. EIU Revenue by Type. Revenue values are adjusted for inflation to the 2015 dollar value. Data are presented as percent of the total revenue for each respective year.

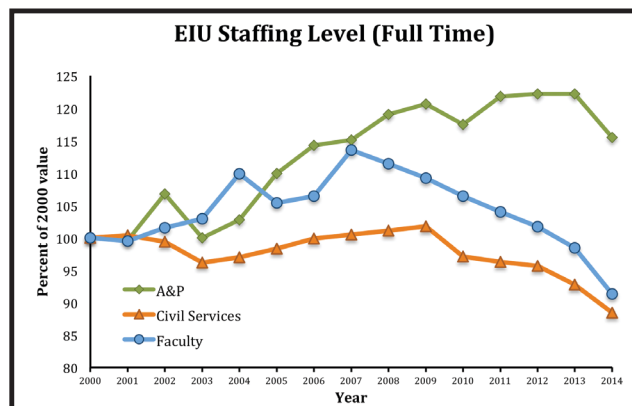


Figure 3. EIU Staffing Level since 2000. Only full-time employees are included. Data are presented as percentage standardized to the 2000 value for each respective category.

vide affordable education to Illinoisans. We believe in our mission and we believe in the future of our students. We put that belief into action by absorbing the cuts and divestment while still delivering quality and award-winning education. This is the picture that the public does not see, because our politicians are busy convincing them that we are inefficient and unproductive. The truth is the opposite. Since we refuse to let our students bear the crippling burdens of these political decisions, we ended up shielding

the politicians from being held accountable for abandoning public higher education. Instead of being rewarded for this, EIU is suffering in public opinions because most people do not know the full extent of the state's appropriation policy.

This set of facts also puts to rest the notion that public higher education has not done our part to help with the budget problems. The data showed that EIU has been using less and less public resources, while still delivering quality education. We have done more than our share in helping Illinois recover.

It is unfair and unwise to balance the entire budget on the back of public higher education. It is unfair because we have already contributed much to the solution and it is the politicians who squandered our contribution.

It is unwise because destroying public higher education will eliminate an important factor in bringing well-paying jobs to Illinois. The destruction of public higher education will have immeasurable rippling effects on local communities and our state's economy.

In addition, to adjust for declining enrollment, EIU has been making cuts before Rauner's creation of the budget impasse in 2015. The number of faculty and civil service employees has both declined, following the enrollment numbers (Figure 3). If the Administrative and Professional staffing level had decreased by the same percentage as civil service and faculty staffing level, EIU would be very close to keeping a constant ratio of total staff per student FTE throughout the years. Worth noting is that despite this trend in A&P staffing level, according to the Auditor General's report in 2013 on the entire University System, EIU has the second best ratio of FTE students served per Administrator and the lowest cost of administrators per student when compared to all the other state universities. This means that EIU is responsive to the enrollment numbers and that we have taken steps to adjust our staffing decisions accordingly. Therefore, low enrollment is not a valid reason to impose further cuts to the EIU budget.

What we can take away from these facts are:

- Illinois has been paying less and less to support EIU over the years, dropping its support by nearly 50% when compared to the year 2000.
- The drop in state support is not tied to enrollment numbers.
- EIU has shouldered and absorbed most of that cut while keeping the tuition and fees for students balanced and steady.
- EIU has kept pace with enrollment figures in terms of staffing level.
- EIU has done our part to help solve the budget imbalance throughout the years.

What this means is that further cuts to EIU's budget, whether it is 30% or 6.5%, are unreasonable. Illinois does have a budget imbalance issue, but we cannot, and should not, solve that imbalance on the back of public higher education. We have done our part and more. It is time for Springfield to own up to the accumulative effect of their past mistakes.

A whipping boy is someone who is punished for the mistakes of others, with the notion that the original culprit is too precious to bear the consequences of their errors. Springfield, listen to us: EIU is not your whipping boy.

Abolishing Tenure: Is the State College of Florida Our Future?

By Leo Welch

The current academic climate in the United States is all too evident with efforts to eliminate tenure, shared governance and collective bargaining rights. These efforts are ongoing in Illinois, Kansas, and Missouri with an especially egregious example at State College of Florida.

On January 26, 2016, the Board of Trustees at the State College of Florida voted to abolish tenure for all new faculty. All board of trustee members are appointed by Florida Governor Rick Scott. Courtney Ruffner, faculty member and President of the AAUP Chapter at State College of Florida, thinks these board members follow the governor's political agenda. According to Ruffner, "the board is told what needs to happen by the governor."

Although State College of Florida is the only state college to eliminate tenure for new hires at this time, Ruffner believes that

the precedent may encourage the Florida legislature to eliminate tenure at other state colleges as well.

The state colleges in Florida were formerly community colleges but are now allowed to offer four-year degrees. Unlike Florida, community colleges in Illinois have elected boards of trustees, except the City Colleges of Chicago with boards appointed by the mayor.

Tenure for full-time faculty in Illinois Community Colleges is protected by the 1980 Tenure Act. But like Florida, Illinois public universities have boards of trustees appointed by the governor, currently Republican Bruce Rauner. Tenure in Illinois private and public universities is based on institutional policy in some universities and on collective bargaining agreements



in others. Governor Rauner has already declared "war on public sector unions," and no one would be surprised if he moved to abolish tenure.

As if eliminating tenure weren't enough, officials at State College of Florida are

also proposing to implement salary bids by faculty. Elimination of tenure and continuous contracts for faculty could force faculty to submit a bid to the board of trustees for the salary they would be willing to accept. The low bidder for each position would be employed for the following year. The lowest salary bid would be the chief criteria for choosing faculty rather than academic achievement, reducing the quality of instruction available to students. Greg Scholtz, Director of Tenure, Academic Freedom and Governance for the AAUP,

stated that he has never heard of faculty bidding for jobs.

State employees in Florida have a constitutional right to collectively bargain. In response to the actions of Board of Trustees of State College of Florida, the faculty has voted to form a union. Signed union organizing cards from two-thirds of the faculty were delivered to the Florida Public Employees Relations Committee calling for certification of a collective bargaining unit at the college. The faculty could vote to join the 26 other collective bargaining units of the United Faculty of Florida. The board of trustees at State College of Florida has yet to formally respond to the faculty's organizing effort.

Faculty will have to continue to generate serious opposition to these efforts to eliminate tenure, shared governance and collective bargaining rights, or the academy will deteriorate beyond recognition.

In Defense of Melissa Click

By John K. Wilson

The firing of Communications professor Melissa Click by the University of Missouri has been one of the most prominent cases of academic freedom this year. On Jan. 25, interim Chancellor Hank Foley said the university would “allow due process to play out.” That position lasted exactly two days, when the Board of Curators ignored the detailed campus procedures it had approved for removing a professor, and decided to suspend Click on Jan. 27, and then fired her by a 4-2 vote on Feb. 24 after 117 Republican legislators had demanded her dismissal.

The AAUP asked Missouri to end the suspension of Click without due process, and questioned her dismissal. Board Chair Pamela Henrickson (who voted against dismissal) wrote a 10-page letter explaining the Board’s reasoning. Claiming “This was not a case about Dr. Click’s academic freedom,” Henrickson wrote, “The Board supports the normative practice and has no contrary pattern of acting on its own in such matters – indeed, it has not done so in any other case within active memory.”

This is a very strange justification for violating due process: We’ve never done it before, and won’t do it again, but it was okay for us to do it one time.

According to the Board, “this case was uniquely challenging. Dr. Click’s conduct had been well known for many weeks and was sufficiently egregious that it led to a criminal charge for assault against a student.” And they added, “It was only after there had been a failure of any other process to address the seriousness of Dr. Click’s conduct that the matter rose to a

level where the University’s commitment to its educational standards was in serious question and the Board felt compelled to act on its own. At that point, engaging any other process would have allowed those questions to linger for such a time that in the Board’s view the effects on the University’s educational environment would have been caustic.”

In essence, they are admitting that Click’s criminal charge (which was quickly dropped) caused negative publicity for the university. There was never a “failure of any other process” because no other process had been started. But they were “compelled” to act because any other process would take too long and allow questions to “linger,” which would have a “caustic” effect on the “educational environment.” Why was a rush to dismissal so essential that due process had to be ignored?

The “caustic” rationale makes very little sense. How could Click have a “caustic” effect on the educational atmosphere if she was already suspended?

The “caustic” standard appears nowhere in any University of Missouri policy, and such a vague standard would allow the dismissal of virtually any professor or student merely for being controversial.

The justification for firing Click lacks any substance. The Board declares that she was fired because of her “call for physical intimidation or violence.”

Let’s be clear here. The Board is admitting that Click did not commit violence, and that jostling a student’s camera was not an act of violence and did not justify her dismissal. Instead, it is claiming that Click’s statement, “Hey, who wants to help

me get this reporter out of here? I need some muscle over here,” was a call for violence.

This is plainly untrue. No one can seriously imagine that Click was demanding that people beat up a photographer. Instead, her call for “muscle” was no different from calling for “security” to help protect a space. The fact that Click was mistaken in her decision does not turn the reasonable call for muscle into a call for violence.

The Board confesses that very fact, because it admits that Click’s real crime was that her call for muscle “risked instigating violence.” In other words, the call for “muscle” was not itself a call for violence, but instead might cause the muscled people she summoned to “instigate violence.” But there was no such violence, and no reasonable expectation that calling for security will cause violence.

Imagine if Click had taken the other side of this dispute, and she had defended the right of photographers to take pictures of the protest camp, and in the chaos had jostled one person and called for “muscle” to help protect the photographers, and then quickly apologized.

No one can seriously imagine she would have been prosecuted or punished, let alone fired, for those actions. It was not her actions, but the side she took, the side of the protesters, that offended legislators and led to her dismissal.

The Board claims that it dismissed Click in “a fundamentally fair manner”



by investigating her and holding a hearing. But how could it be fundamentally fair if the whole reason for refusing to follow normal procedures was in order to punish Click more quickly?

The Board had pre-determined that she needed to be punished faster than existing procedures would allow, and so their inevitable conclusion was that she deserved to be punished. Click was then forced to appeal to the very same body which had just concluded that she must be fired. That’s not a fundamentally fair process. As Click herself noted, “the Board of Curators, under pressure from a state legislature holding MU’s annual budget hostage, has refused to follow those procedures.”

I can understand why (although I strongly disagree) some people think that Click’s actions should result in her firing.

But there is no rational defense for the manner in which Click has been fired by the Board of Curators: It is a violation of basic standards of due process, campus policies, and academic freedom.

If you support this dismissal of Click, you believe in giving trustees the power to fire any professor, and to expel any student, they deem “caustic” to their interests.

Tenure in Wisconsin

The AAUP issued this statement today after the University of Wisconsin System Board of Regents adopted a new policy weakening tenure protections.

It is now clear that the University of Wisconsin System Board of Regents has adopted a policy that provides weaker protections of tenure, and thus of academic freedom, than what has long been the norm in Wisconsin

and than what is called for under the standards approved by the American Association of University Professors. What is not clear is why the regents have adopted such a policy. The policy appears to be only the latest step in an ongoing attack on the University of Wisconsin as a public good that exists for the benefit of all citizens of the state. It jeopardizes the working conditions of faculty and academic staff as well as the learning conditions of students in the university. Weakening tenure at the University of Wisconsin weakens the University of

Wisconsin.

The regents had an opportunity to affirm the University of Wisconsin System’s commitment to academic freedom and to the university’s continued contribution to the common good, as enshrined in the Wisconsin Idea. They failed to do so. The reason for the adoption of the present policy will likely become apparent when it is put into practice. The American Association of University Professors and its chapters in the state will pay close attention to how these policies are going to be deployed.

Why the University of Wisconsin’s Proposed Layoff Policy is Dangerous

By Dave Vanness

The media (and many of my colleagues) are missing the most significant problem with the Board of Regents’ proposed policy on layoff of tenured faculty. That’s not surprising – the policy is intentionally murky (the best landscape for hiding loopholes). Simply put, the policy allows UW administration to discontinue programs (and layoff faculty) because other programs may be considered higher priority.

To make the policy sound legitimate, the system defines “educational considerations” (which may be legitimate reasons to close a program) inappropriately to include financial concerns. Most importantly, RPD 20-XX, II B states: “Educational considerations are related in part to regular program review, and reflect a long-range judgment that the educational mission of the institution as a whole will be enhanced by program discontinuance. This includes the reallocation of resources to other programs with higher priority based on educational considerations. Such long-range judgments generally will involve the analysis of financial resources and the needs of the program and any related college or school.”

The first sentence in II B is fine – most of it comes straight from AAUP’s recommended institutional regulations. The last two sentences are disasters waiting to happen. If the administration decides, for example, that climate science is a lower priority than petroleum engineering, well — it could be “goodbye climate science!” It need not be so obviously political — but do we want to work in a university where we are competing against each other for our own jobs? We’re talking “Academic Hunger Games” here, folks. I guess that makes me the tribute from District 99 (Population Health Sciences) – at least Faculty Senate meetings would be more lively.

Another landmine lurks in II D, which includes “current and predicted comparative cost analysis/effectiveness of the program;” in the list of “educational consid-



erations.” If program A graduates more majors per dollar spent than program B, then program B could be discontinued and its faculty laid off. What metric will be used to choose? The policy doesn’t specify — and doesn’t give faculty the responsibility to decide (assuming that using comparative cost-effectiveness is even an appropriate reason to lay off faculty). The administration’s charge to the faculty committee could dictate the criteria. After all, Act 55 says faculty no longer have primary responsibility for deciding such matters — just the primary responsibility to advise the chancellor.

Many still believe the oft-repeated falsehood that Wisconsin Act 55 simply moved UW System tenure policy from state statute to Regent policy – just like our peers. It is true that some of the draft policy language was taken from other large state universities, including the University of Michigan. But the University of Michigan notes directly in the text of its policy that it has never laid off faculty as a

result of program discontinuance; its policy does not contain the dangerous provision for “reallocation of resources to other programs with higher priority.” That language was added by the administration without the approval of the Tenure Policy Task Force. Faculty Representatives to the Board of Regents, together with all faculty members of the Tenure Policy Task Force, have unanimously asked the Regents for amendments to remove it.

The only acceptable conditions for faculty layoff are either a true institution-wide financial emergency or that a program should be discontinued for bona fide educational considerations, as determined by the faculty (who, after all are supposed to have primary responsibility for curriculum and research). Full stop. The Board of Regents could go a long way toward restoring the reputation of the UW System by loudly and clearly proclaiming this basic professional standard.

Interview: Christian Colleges and Academic Freedom

William Ringenberg is a Professor of History at Taylor University and the author of the new book, *The Christian College and the Meaning of Academic Freedom: Truth-Seeking in Community* (Palgrave Macmillan, 2016). Illinois Academe editor John K. Wilson interviewed Ringenberg via email about his new book.

John K. Wilson: You seem to agree with Michael McConnell's argument that the AAUP's 1970 Interpretive Comments are anti-religion by rejecting the idea of special rules for religious colleges. What's wrong with treating religious and secular colleges equally on academic freedom?

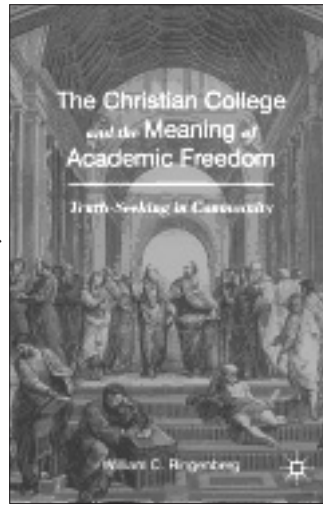
William Ringenberg: The Christian college view is that the AAUP does not always treat the two types of colleges equally, but rather, perhaps without fully realizing it, privileges the one while viewing condescendingly the other.

JW: You write, "The AAUP acknowledges institutional academic freedom but emphasizes individual or professorial freedom. The Christian college community focus is just the opposite: it recognizes professorial freedom but emphasizes institutional academic freedom." It's true that institutional autonomy (to limit government control over colleges because it might threaten the academic freedom of individuals within those institutions) is an important concept embraced by the AAUP. But the AAUP rejects the idea that there is an "institutional" academic freedom that trumps the academic freedom of professors. Isn't the emphasis on "institutional academic freedom" by Christian colleges just an excuse to oppose academic freedom for individual professors?

WR: The Christian college believes that there is no such thing as absolute freedom. All freedom exists in context. All colleges operate in an institutional context. Institutional mission is central or defining, and academic freedom operates within that context. For example some colleges discourage the consideration of the religious domain of the human experience or even broad interdisciplinary considerations in general. For them that is part of their institutional or, in some cases departmental, context.

JW: Do cases like Larycia Hawkins at Wheaton College and the firings at Mount St. Mary's suggest that academic freedom is more endangered at devout religious colleges than at other institutions? And what should be done (externally, by the AAUP, and internally by those on campus) to enhance academic freedom at religious colleges?

WR: Certain types of academic freedom are more at risk in Christian colleges. The latter has more religion-based academic freedom cases while the secular institutions have more political-based cases. Both are vulnerable to due process violations. Christian colleges have their greatest need for the AAUP to serve as a watchdog when their zeal for theological purity leads to due process shortcomings. Also, Christian colleges create problems for themselves when their statements of community standards go beyond central Christian beliefs to embrace secondary convictions. On the Wheaton and Mount St. Mary's incidents, any college will create problems when they oper-



ate from fear more than confidence or when they view people as commodities.

JW: You endorse statements of faith because you argue that "A Christian college is a community. Community (people who have something in common) by definition involves mutual commitment to a common vision or purpose or experience." But why does a common purpose require having the same beliefs? Why shouldn't a religious college be defined by the questions that it asks and the topics that it discusses, rather than the answers that it requires?

WR: The Christian college is a voluntary community operating in the spirit of the freedom of assembly provision of the

First Amendment. The Christian college dare not try to require any ideas of anyone. But citizens who, on their own, choose to pursue their intellectual quest in the company of those who share a similar worldview should be free to come together to do so. What is difficult for the secular mind to understand is that what for them would be a restriction, for others is a freedom—namely the freedom to pursue their investigations within the context of their chosen worldview. For the latter person, the restrictions on religious expression in a secular university would be limiting. This, of course, is the genius of pluralism and the freedom to choose one's intellectual milieu. Of course, some Christian colleges can be unduly restrictive beyond the common Christian core, and this is unfortunate.

Bigotry and Academic Freedom at Wheaton College

By John K. Wilson

Wheaton College officials took action to fire tenured professor Larycia Hawkins because she made comments deemed too pro-Muslim by the administration. Although Hawkins and reached an agreement to part ways (and Hawkins took a job at the University of Virginia), the case raises serious questions about academic freedom at conservative religious colleges such as Wheaton.

Hawkins' trouble began when she announced that she would be wearing a hijab in solidarity with Muslims in the wake of Donald Trump's call for banning Muslim immigrants.

She declared, "I love my Muslim neighbor because s/he deserves love by virtue of her/his human dignity." But she added a further argument for why Christians should defend the rights of Muslims: "I stand in religious solidarity with Muslims because they, like me, a Christian, are people of the book. And as Pope Francis stated last week, we worship the same God."

This was not the first conflict Hawkins has had with Wheaton officials, and the previous examples indicate how precarious academic freedom is at the fundamentalist Christian college in the western suburbs of Chicago.

The *Chicago Tribune* reported that she was "admonished for writing an academic paper about what Christians could learn from black liberation theology" and required to re-affirm the college's statement of faith. According to the *Tribune*, she was again forced to affirm her faith because of "a photograph someone posted on Facebook showing her at a party inside a home on Halsted Street the same day as Chicago's Pride Parade." Yes, Wheaton College is so deeply homophobic that geographical proximity to gay people is deemed a crime.

Homophobia also motivated last spring's reaction when Hawkins "was asked to affirm the statement again after suggesting that diversifying the college curriculum should include diplomatic vocabulary for conversations around sexual-

ity." Wheaton's Statement of Faith is a lengthy document of fundamentalist doctrines demanded of all faculty and staff. However, it doesn't say anything about Islam or the necessity to deny basic facts about other religions. Students at Wheaton

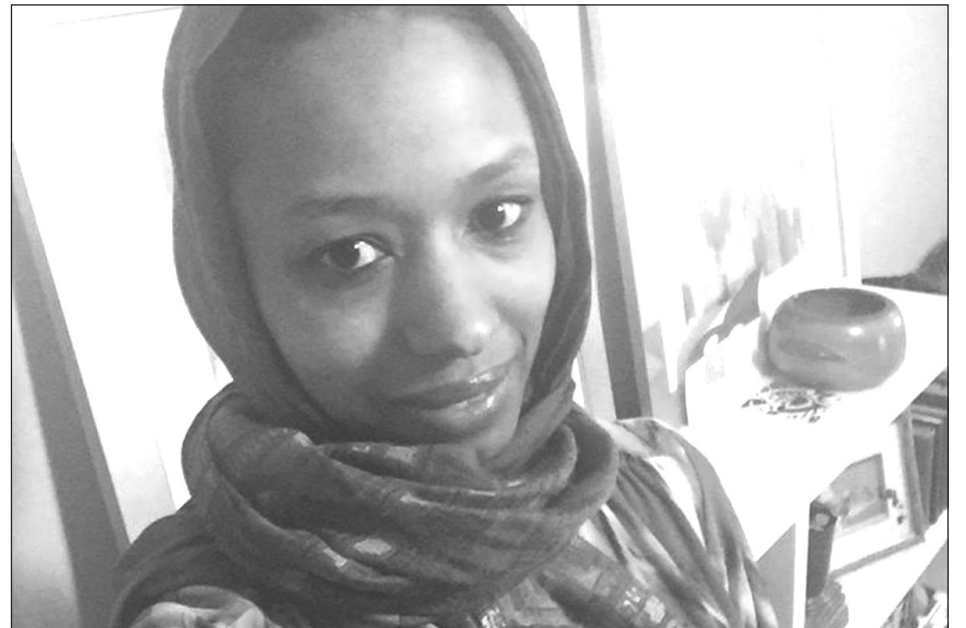
have protested the suspension of Hawkins, and those students may also face the threat of expulsion from the orthodoxy being imposed by Wheaton officials.

Wheaton's administration has declared, "On the part of the College, further theological clarification is necessary before such reconciliation can take place, and unfortunately Dr. Hawkins has stated clearly her unwillingness to participate in such further clarifying conversations. This represents an impasse on our efforts toward reconciliation." There's one major problem with this argument: nothing in the Statement of Faith or Wheaton's rules requires "reconciliation" by faculty with the administration. Hawkins doesn't need to clarify anything; she has already said that agrees with the Statement of Faith. It's up to the Wheaton administration to prove that Hawkins is lying, but so far they haven't pointed to any specific part of the Statement of Faith that she is accused of violating, despite a requirement to do so in the Faculty Handbook.

According to Wheaton administrators, "While Islam and Christianity are both monotheistic, we believe there are fundamental differences between the two faiths, including what they teach about God's revelation to humanity, the nature of God, the path to salvation and the life of prayer." I think we all already knew that. Hawkins herself has said this. No one doubts that Islam and Christianity are different.

The question is whether Muslims worship God or not. Virtually every religious scholar says that as a historic fact, Islam, Christianity, and Judaism share common origins. Unless Wheaton College is prepared to declare that Jews and Catholics don't worship God because of their theological differences with fundamentalists, and that anyone who disputes this absurd claim must be fired or expelled, then they don't have a case to make against Hawkins and her accurate views about Islam.

Actually, the weakness of Wheaton's argument goes even further than this. Even if Hawkins were incorrect to claim that Muslims worship God, it still would not be a firing offense unless Wheaton's Statement of Faith actually prohibits such assertions. And there is nothing in the Statement of Faith banning comments about who Muslims worship. The Statement of Faith is all about what you believe, not what you think



other religions believe. That's why it's a Statement of Faith and not a Statement of Religious Scholarship.

The Wheaton administration is simply distorting the Statement of Faith in order to fire a professor who offends conservatives by defending Muslims. And that's a good reason why no college (not even a religious one) should impose a statement of faith: it simply provides an easy excuse for firing controversial faculty.

For almost half a century now, the AAUP (and the AAC&U) has rejected the imposition of statements of faith. The 1940 Statement of Principles included a provision that "Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment" (which Wheaton is clearly violating because it gave no warning that opinions about Muslims were banned). The 1970 Interpretive Comments revoked that religious exception: "Most church-related institutions no longer need or desire the departure from the principle of academic freedom implied in the 1940 'Statement,' and we do not now endorse such a departure."

Some people argue that we need to respect diversity by allowing religious col-

leges to impose theological dogma on faculty and students. They are wrong. Eliminating enforcement of statements of faith does not destroy the diversity of institutions. To the contrary, true religious understanding comes from freedom, not the threat of firing or expulsion. What makes a college religious are the questions it asks and the values it models, not the repression it imposes.

Wheaton's Faculty Handbook includes no provision for suspending faculty, so the arbitrary suspension of Hawkins without any due process has already violated Wheaton's own rules and AAUP standards. It is a punishment imposed without evidence for a thoughtcrime that Hawkins never committed.

There can be no doubt that Wheaton's attempt to fire a professor for expressing support for Muslims is an attack on academic freedom. But what few have realized is that this bigotry also an attack on the Christian values of loving thy neighbor that Wheaton pretends to embrace.

The administration at Wheaton is not just betraying the values of freedom that every true college must stand for, they are also betraying the values of Wheaton College itself.

Illinois AAUP Speakers Bureau

The Illinois AAUP offers speakers to AAUP chapters and other groups, and the Illinois AAUP can cover most expenses for AAUP chapters. Speakers include Michael Harkins, Peter N. Kirstein, Leo Welch, and John K. Wilson. For more information, email collegefreedom@yahoo.com.

CFA Statement on Steven Salaita Settlement with the University of Illinois

On November 12, 2015, the University of Illinois reached a settlement with dismissed professor Steven Salaita, agreeing to pay him \$600,000 (plus \$275,000 to his lawyers) to settle the case. The UIUC Campus Faculty Association issued this statement:

CFA is happy Steven Salaita has accepted the settlement approved by the Board of Trustees. Compensating Dr. Salaita, however, is only a first step. Two major concerns remain unresolved.

First, the damage inflicted on the American Indian Studies Program must be made good. We call upon Chancellor

Wilson and Dean Ross of the College of LAS to make recommendations about how at a minimum to restore the AIS Program to its former strength both in faculty lines and programming capacities. We also call upon Chancellor Wilson to take steps to move this campus decisively beyond the “Chief” era — through continued education, and by eliminating the use of music associated with the “dance” of the Chief during sports events.

Second, the intrusion of the Board of Trustees into academic policy and hiring decisions remains a serious problem. The prospect of such intrusions has increased rather than decreased, over the past year. The Board now asserts

a right to intervene in any individual hiring case. Further, with their decision to subject every faculty hire to a background check, the Board has added a new hurdle in the hiring process — a hurdle with a racially discriminatory effect.

This university does not need a more interventionist Board in faculty hiring. We appeal to the Board of Trustees to explicitly delegate faculty hiring decisions to each campus, and to repeal their blanket background check policy.

Bruce Rosenstock, President
Campus Faculty Association. UIUC

Statement of Scholars on the Steven Salaita Settlement

As scholars in a wide range of academic disciplines we write to express that we are both pleased and concerned that the University of Illinois at Urbana-Champaign (UIUC) has agreed to settle Professor Steven Salaita’s lawsuit challenging his illegal termination by the UIUC Board of Trustees after he made comments on social media critical of Israel’s military assault on Gaza in the summer of 2014. We note that the University agreed to settle Professor Salaita’s claims only after a federal court had ruled in Professor Salaita’s favor on key elements of his case, including that his employment was terminated after he had been given a contract of employment by UIUC, and that Professor Salaita’s comments on social media were protected by the First Amendment.

We are pleased that the University of Illinois trustees, through the payment of a substantial monetary settlement to Professor Salaita, have acknowledged how Professor Salaita’s termination amounted to a serious violation of both his constitutional right to free speech on matters of public concern, and principles of academic freedom. Agreeing to pay what amounts to the equivalent of Professor Salaita’s salary for ten years, the University of Illinois trustees have implicitly conceded the core claims

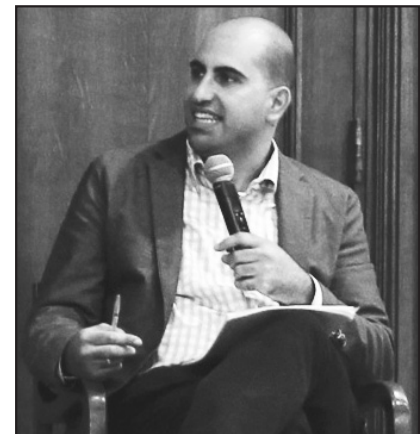
of Professor Salaita’s lawsuit: that he was illegally terminated in retaliation for his comments in connection with the Israeli war on Gaza, and that UIUC officials’ decision to terminate Professor Salaita was motivated, at least in part, by pressure they received from large donors to the University as was revealed by emails disclosed by the University in connection with the lawsuit.

At the same time, we are concerned about the terms of the settlement for two principal reasons. First, it did not include Professor Salaita’s reinstatement. Although we respect Professor Salaita’s decision to accept the settlement and to move on with his career, we nevertheless call attention to the fact that a cash settlement without an offer of reinstatement leaves unaddressed the unjust terms by which his employment was terminated. Not only were his fundamental rights of free speech and academic freedom abridged, but he remains entitled to reinstatement at UIUC as a matter of principle, whether or not he chooses to accept that reinstatement. As it stands, the settlement demonstrates that the university can abridge such rights at a price, setting a perilous precedent.

Second, we recognize that UIUC’s unlawful treatment of Professor Salaita has

had implications well beyond Professor Salaita individually. The UIUC American Indian Studies Program that hired Professor Salaita not only lost Professor Salaita as a colleague (after a rigorous search), it has suffered severe fall-out given the administration’s assault on the autonomy of the program and its selection to appoint Professor Salaita to the program. Professor Salaita’s hire was intended to build a rising, dynamic academic home for research and teaching on American Indian Studies. Now the program struggles with less than one full academic appointment. The decimation of the American Indian Studies Program at UIUC has been an additional price tag paid by the university’s capitulation to internal and external forces that disapproved of Professor Salaita’s exercise of constitutionally protected rights to free speech. Sadly, the settlement in this case fails to address the larger price paid by students, faculty, and the broader academic community that looked to the University of Illinois as a home of robust academic inquiry into the complex issues of sovereignty, belonging, dispossession, and conquest — both in the U.S. and globally.

On account of the manner in which Professor Salaita was terminated the American Association of University Professors cen-



sured UIUC for its failure to conform to sound academic practices as established in AAUP principles. We feel strongly that the monetary settlement of Professor Salaita’s legal claim does not address the underlying breaches of academic freedom and widely accepted standards for the conduct of academic governance that formed the basis of the AAUP sanction in this matter. For this reason we urge the AAUP to not remove UIUC from its list of censured administrations until such time as UIUC adequately addresses the larger pall of uncertainty that has been cast over the manner in which academic freedom is understood and respected at UIUC.

From Scopes to Kitzmiller: The War on Evolution

By Leo Welch

An attempt by religious fundamentalist to denigrate or prohibit the teaching of biological evolution has a long history in the United States. The most well-known of these efforts took place in Tennessee in 1925 when a high school biology teacher, John Scopes, was tried for violation of the Tennessee law prohibiting teaching evolution in public schools. Interestingly, the trial featured several well-known personalities from Illinois. John Scopes graduated from Salem, Illinois, high school. The prosecutor at his trial, William Jennings Bryan, was also a former resident of Salem and spoke at Scopes’ high school graduation. One of Scopes’ defense attorneys was the famous Chicago attorney, Clarence Darrow. Although Scopes was found guilty and fined \$100, the nation-wide publicity regarding the trial gave a public relations victory to those who fought to include evolution in public education. The play, *Inherit the Wind*, and the subsequent movie starring Spencer Tracy and Frederic March provide, even today, a captivating glimpse into the Scopes trial and the positions of those who promote and oppose the teaching of evolution.

An examination of biology textbooks published after the Scopes verdict, show that the public relations victory was short lived. Although there was significant opposition to the teaching of evolution in public schools prior to the Scopes trial, it was after the trial when the real impact on high school biology textbooks took place. Judith V. Grabiner and Peter D. Miller in their article, “The Effects of the Scopes Trial,” argue that some blame should be placed on the higher education scientific community for failure to pay attention to the teaching of science in the nation’s high schools after the Scopes trial, leading to the success of creationists eliminating evolution from text books. In the decade following the trial, it was almost impossible to find the word evolution in the index or glossary of these texts. References to Charles Darwin, natural selection, or the tree of life all but disappeared.

A typical textbook was Moon, Man and Otto’s *Modern Biology* frequently used in public high schools in the 1950s and 1960s. The text was essentially a taxonomic approach starting with the protozoans and ending with humans but with no treatment of anything resembling evolutionary bi-

ology. The late Harvard biologist, Steven Jay Gould, noted that this textbook did not even mention the word evolution and was anything but modern. An exception was a textbook authored by Alfred C. Kinsey, Professor of Zoology at Indiana University. Kinsey was a specialist on gall wasps but better known for his research on human sexuality. His textbook not only included significant material on evolution but also attacks on the opponents of evolution. It did not sell.

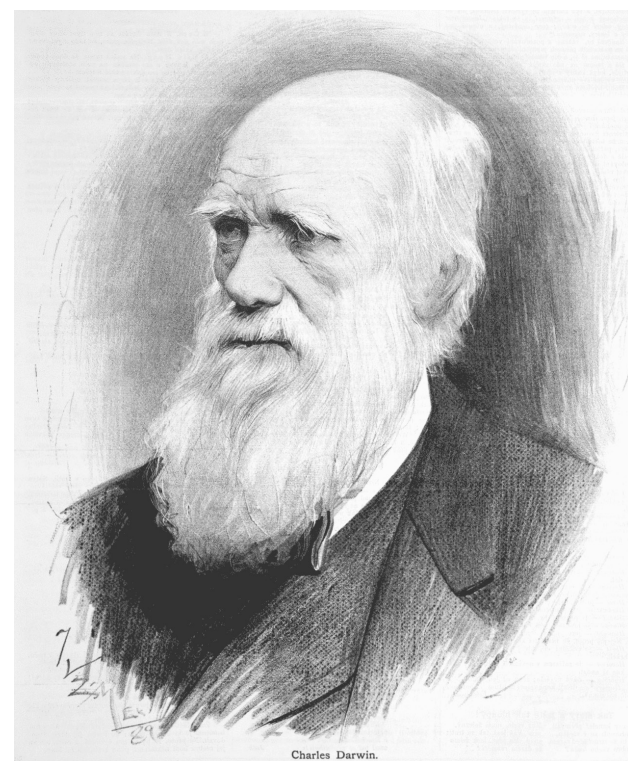
Based in part on the shock over Russia’s scientific advances when Sputnik was launched in the late 50s, the U.S. scientific community started to examine and improve science education. The American Institute of Biological Sciences initiated new textbooks known as the Biological Sciences Curriculum Study texts. These textbooks were dramatically different with the use of experimental labs and strong emphasis on evolution and genetics. The education community supported and adopted the new texts, resulting in improvements in high school biology.

Fundamentalist attacked the textbook with full force. The most noted was a campaign against teaching evolution in public schools in Texas (where else) supported by newspaper editorials, church sermons, and, of course, the State Textbook Commission. In 1968 a U.S. Supreme Court decision invalidated legislated bans on the teaching of evolution by finding an Arkansas statute unconstitutional.

Attempts to block the teaching of evolution in public schools from 2004 to 2016 have been studied by Nicholas J. Matzke of The Australian University. He lists at least 71 bills that have been introduced, all by Republicans, in Alabama, Maryland, Florida, Oklahoma, New Mexico, Texas, South Dakota, Louisiana, Mississippi, South Carolina, Kentucky, Missouri, Tennessee, Virginia, Indiana, and Montana. The topics targeted in these bills include evolution, origin of life, human cloning, and now global warming.

Other attempts to invalidate evolution include the teaching of so-called “balanced treatment,” “creation science,” “evolutionism,” “critical thinking,” “intelligent design” and the use of textbook disclaimers. All of these ideas have been found by courts as covers for biblical creationism.

Most recently, U.S. Federal District Judge John E.



Jones (a George W. Bush appointee) issued a decision in the case of *Kitzmiller v. Dover*. The 2005 case concerned the teaching of intelligent design as required by the Dover, Pennsylvania, public school board. Judge Jones found that intelligent design was a form of creationism, and, therefore, unconstitutional to teach in American public schools. He also referred to the Dover school board members as exhibiting a “breathtaking inanity.”

Unfortunately, court cases have failed to stop attempts to limit or block the teaching of evolution in public schools. Adverse legislation attempts still continue. Even in states where there is no adverse legislation, many faculty do not teach evolution due to an unfriendly administration or school board or to avoid complaints by students or parents. The higher education scientific community and higher education community in general must continue to promote the teaching of evolution in public high schools and continue to champion scientific integrity.

Jordan Kurland, AAUP Stalwart, Dies at 87

By Hank Reichman

During his 50+ years on the AAUP staff Jordan E. Kurland, who died on January 23 at the age of 87, must have helped thousands of faculty members resist challenges to their academic freedom. Yet because he never sought the spotlight for himself, Jordan and his remarkable work remained largely unknown to most college and university teachers, including probably the majority of AAUP members. But Jordan was a titan, a near-legendary figure among those privileged to have worked with him. About 15 years ago he began working 80% time, but his mind and effort were always 100% and more dedicated to the AAUP, the scholarly profession, and the cause of academic freedom. In an email to Association leaders, AAUP Executive Director Julie Schmid called attention to “Jordan’s incredible intelligence, his acumen as a strategic thinker, and his commitment to his staff colleagues.” Greg Scholtz, Director of the AAUP Department of Academic Freedom, Tenure, and Governance, who worked closely with Jordan in his last years said, “It’s a cliché, but he really was one of a kind. He had a genius for the work, and the work was his life.” Indeed, Jordan’s final day at work was January 8, less than three weeks before his passing, and to the end he was stubbornly promising a return to his desk.

Jordan joined the AAUP staff in 1965, having taken a leave of absence from his appointment at the University of North Carolina, Greensboro, where he was active in the AAUP chapter. A native of Boston, Jordan attended Dartmouth College and earned BA and MA degrees in history at Boston University before commencing advanced study at the Russian Institute at Columbia University. He earned a Fulbright fellowship to conduct research in the Netherlands for his dissertation on Dutch-Russian relations in the 17th century; a second fellowship enabled a year of study in the Soviet Union. He remained interested in Russian affairs until his death. Jordan leaves behind his devoted wife of almost 69 years, Anita Siegel Kurland, four children, and eight grandchildren.

With Jordan’s passing we will all be inclined to “end of an era” thoughts. But I’m convinced that Jordan wouldn’t be happy about that. He would be urging us to redouble our efforts and to recommit ourselves to the cause to which he dedicated most of his life.

In June, as AAUP celebrated its centennial year, the annual meeting paused as well to honor Jordan with a resolution commemorating his 50 years of service as a staff member. That resolution reads:

Resolution Honoring Jordan E. Kurland on His Fifty Years of Service as a Member of the AAUP’s Professional Staff

Associate General Secretary Jordan E. Kurland joined the Association’s staff on June 16, 1965, having taken a leave of absence from his tenured appointment at the University of North Carolina at Greensboro. The year 2015 thus marks not only the AAUP’s centennial but also Jordan’s fiftieth anniversary as a member of the Association’s professional staff.

For most of that half century up to the present, he has presided over the Association’s major case work in academic freedom and tenure, despite having officially stepped down fifteen years ago as director of staff for Committee A on Academic Freedom and Tenure.

He has played a role in more than 90 percent of the case investigations conducted in the Association’s history, among them the 2007 investigation of five New Orleans universities after Hurricane Katrina, a major undertaking for which he was the responsible staff member. He has toiled incessantly to accomplish censure removal at scores of institutions, including all four of the universities censured as a result of the Katrina investigation and, at this annual meeting, the thirty-three-year-old censure at Yeshiva University.

He has been instrumental in maintaining the excellence that has characterized AAUP policy statements and reports on academic freedom, tenure, and governance, notably key sections of the Recommended Institutional Regulations on Academic Freedom and Tenure, which have been widely adopted in American higher education.

He has carried out these responsibilities with relentless dedication, zeal, and even joy, seeking no recognition for himself and putting to good use his powerful intellect, nearly photographic memory, remarkable creativity and flexibility, pointed eloquence, keen editorial skills, and encyclopedic knowledge of the AAUP’s history.

He has gained the affection, respect, and admiration of members of the AAUP’s staff and leadership with whom he has worked closely over the years—including many whom he mentored.

During the past fifty years, Jordan has contributed, quietly and behind the scenes, more than any other individual to the AAUP’s core endeavor of developing and implementing recommended standards on academic freedom, tenure, and governance.

The American Association of University Professors therefore takes great pleasure in honoring Jordan E. Kurland for his fifty years of service on the Association’s professional staff and, in particular, for his unrivalled contribution during the preceding half century to the Association’s historic mission of advancing the “standards, ideals, and welfare of the profession.”



Loyola Adjuncts Vote to Affiliate with SEIU

By Peter N. Kirstein

Loyola University Chicago adjuncts voted January 27 to unionise by a vote of 142-82. They will be represented by the Service Employees International Union (S.E.I.U.) Local 73. Unlike other Roman Catholic Universities such as Manhattan College, Saint Xavier and Duquesne, the Loyola University administration, while opposing it, used tools of persuasion such as videos, and not coercion. It did not prevent the vote or seek to delay its tabulation by appealing the National Labor Relations Board (N.L.R.B.) assertion of jurisdictional primacy to the courts. There, anti-union sentiment runs rampant such as the United States Court of Appeals for the District of Columbia Circuit, where juridical appeals of the board’s decision are heard.

Frequently when adjuncts seek N.L.R.B. protection, they will rarely attempt to organise all the adjuncts at a post-secondary institution, but certain units which are more amenable. Also those adjuncts that have a purely religious function, are exempt from federal labour law, as enunciated in the Pacific Lutheran case.

One of Loyola’s adjuncts was ebullient according to the Chicago Tribune: “Our victory today represents a win for our students, faculty and the entire Loyola University community,” Alyson Paige Warren, an adjunct instructor of writing and literature at Loyola, said in a news release. “Now all faculty will have a say in our working conditions and I’m encouraged (by) the gains at other schools across the country.”

While the war on the working class has been present since the founding of the nation, the N.L.R.B.’s recent pro-adjunct decisions are not a slam dunk for all faculty. The spectre of N.L.R.B. v Yeshiva is haunting over full-time faculty at private universities. A Seattle based N.L.R.B. official, according to Inside Higher Ed, ruled that Carroll College in Montana did not pass the Pacific Lutheran test for tenured and tenure-track faculty. Faculty can be fired for errant theological behaviour that runs counter to its Catholic mission, but somehow these faculty are considered managers. Seems counterintuitive to me, and a hesitancy on the part of the N.L.R.B. to break completely the chain of oppression of the Supreme Court’s 1980 egregious Yeshiva decision. Liberate adjuncts within their jurisdiction, but not full-time faculty.

AAUP Responds to Friedrichs Oral Arguments

AAUP Statement, January 11, 2016

Today, the Supreme Court heard oral arguments in Friedrichs v. California Teachers Association, a case which threatens to reverse decades-old decisions allowing for the collection of fair share fees from public employees. The case has far-reaching consequences for American workers, students and the public. Fair share fees fund a range of activities that improve the quality of education and the well being of students as well as educators.

In brief, the case seeks to weaken unions by limiting or eliminating the collection of agency fees. The AAUP supports the right of unions to charge agency fees, also known as “fair share.” These fees ensure that nonmembers help pay for the costs of the representation that the union provides to all. Even if bargaining unit members choose not to join as full members, they are represented by the union and benefit from the contract it negotiates. In higher education, strong unions help protect academic freedom and shared governance, limit contingency, and promote economic security for faculty and quality education for students.

For the past forty years, the Supreme Court has endorsed the legality of fair share arrangements. This is now being challenged on the basis that the First Amendment bars this practice, since it compels individuals to pay for “speech” (by the union) with which they may not agree. Howard Bunsis, chair of the AAUP-Collective Bargaining Congress, said, “The Friedrichs case is an attack on workers’ rights to bargain collectively, an attack on workplace democracy, and an attack on the middle class. It is also a call to organize; attempts to divide us will not work.”

Rudy Fichtenbaum, AAUP president, said, “In higher education, strong unions not only promote quality education for students and economic security for educators, they protect academic freedom and shared governance. It is only fair for workers to pay their fair share.” Risa Lieberwitz, AAUP general counsel, said, “As the AAUP/AFT joint amicus brief explains, collective bargaining, supported by the fair share agency fee system, significantly benefits the educational system. Agency fee arrangements fairly balance the interests of nonmembers with the state’s and union’s interests in requiring them to pay their fair share of the costs of negotiating a collective bargaining agreement that benefits members and nonmembers alike.”

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ILLINOIS AAUP NOMINATIONS

These are nominated for positions in the AAUP State Council:

Michael Harkins, President; Peter Kirstein, Vice President

COUNCIL MEMBERS: Linda Brookhart, Jane Jegerski, Steve Macek,

Todd Alan Price, Dan Tomal, Leo Welch, Mark Criley

— Leo Welch, Chair, Nominating Committee

Upcoming AAUP Events

AAUP Annual Conference, June 16-18, Washington, D.C.
AAUP Summer Institute, July 21-24, Portland State University
AAUP Shared Governance Conference, Sept. 30-Oct. 2, D.C.

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.