

## CAS COLLEGE ADVISORY COUNCIL

Report on Open Meeting, Friday, January 3, 2 p.m., in CIS 1048

I. The meeting was called to order by CAC chair Alvin Wolfe at 2 p.m. with more than forty persons in attendance (more came in later to a maximum of 50).

The agenda was approved with clarification of the order of presentations by (A.) the chair, (B) the dean, (C) the CAC council members, (D) representatives of the Faculty Senate, (E) representatives of the ad hoc committee recently appointed to work with the Human Resources Work Group, and (F) representatives of the United Faculty of Florida, et al.

A.

Report of Chair. Alvin Wolfe summarized the events that led to his calling this Open Meeting as chair of the College Advisory Council (CAC).

11/15/02 USF United Faculty of Florida (UFF) complained that the Board of Trustees (BOT) developing new personnel rules violated the Collective Bargaining Agreement.

11/20/02 USF Faculty Senate complained that the BOT developing new personnel rules without consulting faculty violated the principle of shared governance.

11/20/02 CAC found "extremely disturbing" the BOT developing new personnel rules without consulting faculty.

12/06/02 CAS Faculty Assembly failed to discuss this important issue of USF faculty governance, believing that the Faculty Senate would convene a full faculty meeting.

12/27/02 The CAS CAC received response from President and Provost agreeing that faculty and staff should be consulted when rules are changed, and that "a process is being put into place," the BOT's rules should be considered "temporary" and an ad hoc committee of the Faculty Senate would meet with a "Human Resources Workgroup" for developing permanent rules.

12/27/02 The UFF was informed by the President and Provost that release time that UFF officers had been granted for the academic year was being rescinded because in the view of the Administration the Collective Bargaining Agreement would not be in force after January 7, 2003.

12/27/02 UFF President Roy Weatherford interpreted the abrogation of the collective bargaining agreement as evidence of the BOT's intent "to use the reorganization as a pretext to try to break the faculty union and end our contractual protections of academic freedom, tenure, sabbaticals, and equal pay for summer teaching."

At this point, Wolfe made three succinct comments: (1) We did not have to put into place a new process, we already have both the faculty governance process and the collective bargaining process. (2) We did not need temporary rules, we already had rules that had been developed over several decades. (3) If, indeed, the rules the BOT calls temporary do go into effect on January 7, rules are rules, and those will be the rules no matter whether they are 'temporary' or not. If the BOT wanted 'temporary' rules, the polite thing would have been to consider the rules we now have as 'temporary'.

Wolfe concluded with a statement on Faculty Governance:

Faculty Governance, like academic freedom, is an important principle that is traditional in higher education. One has to be steeped in history and long in experience to appreciate its importance to a university and to a university system. Only rarely is the principle enshrined in the law. In Wisconsin, their state statute reads:

***Wisconsin Statutes***

***Chapter 36. University of Wisconsin System***

***36.09***

***(L)***

*(4) FACULTY. The faculty of each institution, subject to the responsibilities and powers of the board, the president and the chancellor of such institution, shall be vested with responsibility for the immediate governance of such institution and shall actively participate in institutional policy development. As such, the faculty shall have the primary responsibility for academic and educational activities and faculty personnel matters. The faculty of each institution shall have the right to determine their own faculty organizational structure and to select representatives to participate in institutional governance.*

I know Florida is not Wisconsin, and Wisconsin law is not Florida law. Still, faculty members in both states and in the other United States share the same general academic tradition, the American tradition. We become “extremely disturbed” when boards and administrators show evidence of believing that they can run a university without the intensive and enthusiastic participation of faculty members.

\*\*Wolfe’s entire report is available at:

<http://luna.cas.usf.edu/~wolfe/AWW-Report%20of%20Chair%2001-03-03.htm>

B. Comments by Dean Renu Khator.

Dean Khator basically agrees with the principle that there should be consultation before rules are changed.

C. Comments by other CAC members:

Graham Tobin (also a member of the ad hoc Senate Committee on Rules Changes)

James Carey

James Strange

Dennis Killinger

Richard Taylor

Mark Neumann

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Comments by representatives of the Faculty Senate.

Susan Greenbaum, Vice President of the Faculty Senate. She explained that in part she was representing Greg Paveza, President of the Senate, who is out of town. She presented two messages that President Paveza had sent to us electronically. He has a more sanguine attitude about the BOT's intentions for the future than most of us, and that may be because, pursuant to the conditions of Amendment 11 which established a Board of Governors superior to the BOT, the President of the Faculty Senate will be a member of the BOT. He also announced officially the members of the ad hoc Senate Committee to work with the Human Resources Work Group.

Professor Greenbaum was less "sanguine" than Professor Paveza, both about the potential of either of those factors to resolve the current problem having to do with what are the terms and conditions of our employment, and about the future of faculty governance at USF.

Elizabeth Bird, also a USF Faculty Senator, who has been working on a UFF committee studying the rule changes, presented analyses of the new BOT rules. While our current Collective Bargaining Agreement guarantees "full academic freedom" the new BOT rules do not address academic freedom for faculty participating in university governance, in advising students, or in academic administration, all of which are explicit in the Collective Bargaining Agreement. Furthermore, the new rule excludes the standard AAUP right to speak as citizens. While USF in these new rules defines academic freedom narrowly other major research universities -- our peer institutions -- have unequivocal statements that define academic freedom in accordance with AAUP principles. In many other specifics, comparisons of the current rules and those recently promulgated by the BOT without faculty consultation reveal significant differences. For instance, there are fourteen criteria defining "misconduct" that warrant firing of faculty members. OK, so we won't do those, you might say. But so petty are those delicts, that most of us have already done one or more of them. This is frightening because, while most of us had believed that, should we ever be faced with dismissal because we are charged with misconduct, we would be judged by a jury of our peers, a reasonable assumption. Not so, according to the Board of Trustees. Administrators alone charge and convict, faculty peers have nothing to say about it. And we can be convicted of failure to obey even an oral command.

(E) Representatives of the ad hoc committee recently appointed to work with the Human Resources Work Group, reported to us. Graham Tobin, chairman of that Senate Committee is also a member of the College Advisory Council and promised to report back to the council once they have had a meeting and find out what they are expected to do and whether they have any real voice or not. Fraser Ottanelli was the only other member present at the meeting, and he knew no more than Professor Tobin. Both promised to do their best to defend faculty rights, but neither held out much hope, certainly not as much hope as Senate President Greg Paveza expressed in his emailed message to the group.

A number of former Faculty Senate Presidents were in attendance at the meeting -- among them Charles Arnade, Jesse Binford, Renu Khator, Richard Taylor, and Nancy Tyson. Several of them spoke eloquently about the seriousness of the situation. None dismissed it as a tempest in a teapot. Incidentally, there were also a number of members of the faculty category, Distinguished University Faculty. Several of them spoke, but did not identify themselves as "Distinguished University Faculty." Another distinguished group that was represented at the meeting, but not officially identified, was the USF Group for Phi Beta Kappa, a group of USF faculty who have been working hard for years to get authorization from the Phi Beta Kappa Society (the most prestigious American honorary society founded in 1775) to establish a chapter at USF. Given the current problem, that seems a highly unlikely scenario now.

(F) The major representatives of the United Faculty of Florida, was the president of the USF Chapter, Professor Roy Weatherford who gave a very informative narrative of the events outlined in Wolfe's report that began the whole discussion. One crucial bit of information was that the Public Employee Relations Commission, to whom the UFF had appealed seeking a ruling that the Collective Bargaining Agreement cannot be abrogated because of the reorganization of the university system, had declined to express an opinion on the matter. This means that despite the fact that UFF statewide and locally has collected signature cards from more than 60% of the faculty favoring collective bargaining, we might have to go through the whole 1976 process again, holding an expensive and time-consuming election, to force our "employer" -- either BOT or the Board of Governors mandated by Amendment 11 -- to recognize that they cannot merely treat us as if we had no rights.

Much more information about United Faculty of Florida and all the stages leading up to the current unhappy situation can be found on the UFF web site:

<http://w3.usf.edu/~uff/newspage.html>

II. Open Discussion of Faculty Governance Issues. Many of the fifty faculty members in attendance joined in the discussion and it is impossible to summarize all that was said.

One likely important point arose almost incidentally when it was mentioned that our USF Board or Trustees' actions -- their deliberate actions that put down faculty in so many ways -- are clearly related to a larger conservative national "campus crusade" led by an organization called Association of College Trustees and Alumni (ACTA), headed by right-wing activist David Horowitz and Lynn Cheney, the wife of the Vice President of the United States. Governor Bush hired ACTA to "train" not just USF's but all the boards of trustees. ACTA representatives, none at this meeting, have praised the progress of these boards in taking control of the universities from left wing faculty. Interested persons can learn more about ACTA on the web:

<http://www.zmag.org/ZMagSite/Nov2002/Berkowitz1102.htm>

Many faculty members expressed concern that the problems that the Board of Trustees have created are going to have a deleterious effect not just on morale of faculty but on actual productivity and upon USF's ability to retain its high quality faculty and to get good new people to come. Several department heads present said that they are concerned about recruiting. Loss of good faculty and inability to recruit good faculty are the kinds of "accountability" and "productivity" issues that the BOT and the BOG ought to be interested in. In the course of the discussion, it came out that UF Professor Richard Briggs, Chairman of the Council of Faculty Senates for the entire state university system, has said, "The actions of the USF administration and BOT this past year have been embarrassing, and will damage USF directly and the reputation of the rest of the state's higher education system indirectly."

The consensus of the participants in the Open Meeting sponsored by the CAS College Advisory Council seemed to be that each of us should do what we can to support those faculty members who have been deprived of the release time to take care of grievances and work related to collective bargaining. They are, after all, the faculty members that we elected to represent us in collective bargaining.

III. Adjournment. The meeting adjourned at 4 p.m. as announced.

Respectfully submitted. Alvin W. Wolfe, Chair, CAS College Advisory Council, 1/5/03.