

Faculty Welfare Committee

Excellence in Education



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From the President:

Thanks to all of you who have taken the time to study the proposals coming to us from the Faculty Salary Committee and the Academic Council Subcommittee on Governance. Though there are considerable differences of opinion on the proposals themselves, many of you stayed late after the General Faculty meeting last Friday to eat, drink, and engage in more informal conversations. This speaks volumes to the importance of collegiality and intellectual community here. The Faculty Welfare Committee/AAUP is delighted to provide the opportunity for this type of engagement and we hope that you will all feel welcome to continue to join us for these social events.

In this issue, we continue to provide you with a variety of different perspectives on the governance issues that we are currently debating. If you are one of our over 160 FWC members, and you would like to share your thoughts in the Newsletter, we will try to do one more issue before the close of the semester. Contact any member of the Executive Committee.

Kathryn Nantz, FWC/AAUP President



FWC Litigation Fund:

THANK YOU to the many faculty members who pledged a donation to the FWC litigation fund. Your generosity and commitment to shared governance is commendable.

We remain deeply concerned about the possibility of a serious and possibly illegal unilateral amendment of our *Faculty Handbook*. As you know, changes to the *Handbook* require approval by the faculty and approval by the trustees. Unilateral amendment by either party is not allowed.

We continue to accept **PLEDGES TO A LITIGATION FUND**, should legal action be required in this situation. Do not send any money, but email FWC Treasurer Rick DeWitt if you would like to pledge any amount to the FWC litigation fund. We hope we will not need to collect on these pledges and will keep our membership informed of any developments.

FWC AND AAUP UPCOMING EVENTS / NEWS

UPCOMING FWC, AAUP AND OTHER FACULTY EVENTS:

BREAKFAST before the General Faculty Meeting Friday, May 1 9:30 - 10:00 AM

outside SON auditorium

As we do every year, the Faculty Welfare Committee will provide a *gala* breakfast outside the SON auditorium before the GF Meeting for Committee Reports and Elections. Breakfast will be available after 9:30, the faculty meeting will begin at 10:00 AM *sharp*.

Connecticut State Conference/AAUP Annual Spring Meeting: MANAGERIAL DISCRETION AND PROFESSIONAL AUTONOMY IN A TIME OF FINANCIAL CRISIS

Thursday, May 7
5:30-9:00 PM

Graduate Club, 15 Elm Street,
New Haven

In addition to dinner and the panel discussion, the FWC will present the second annual CSC-AAUP George E. Lang, Jr. award to a relatively new faculty member at Fairfield who has shown an interest in and dedication to the fundamental AAUP principles of shared governance and academic freedom. Details and registration information on the CSC-AAUP website: <http://people.wcsu.edu/nairv/AAUPCSC.htm>.

FACULTY FAMILY PICNIC AND SOFTBALL GAME

THURSDAY, MAY 14
WOMEN'S SOFTBALL FIELD
4:30-6:00 PM

The only event for all faculty and faculty friends and families. Save the date, and watch your email for more details.



Jackie Robinson stealing home.

AAUP Summer Institute Macalester College St. Paul, MN July 23-26

An intensive training course in faculty advocacy and leadership. Workshops and seminars on University finances, faculty handbooks, contracts, governance, organizing and membership and more. We have at least five members attending from Fairfield and would love for you to join us. Scholarships available for first time attendees. More details at <http://www.aaup.org/AAUP/about/events/SI/default.htm>

RECENT FWC, AAUP AND OTHER FACULTY EVENTS:

Fairfield FWC invited to Ohio State Conference Annual Meeting

On the recommendation of National AAUP, Professors DeWitt, Mulvey, Nantz and Rakowitz were invited to the OSC Annual Meeting in Columbus, Ohio to present a workshop on AAUP advocacy chapters. We owe you a full report in an upcoming issue.

FWC/AAUP Open Meetings 4/23 and 4/28:

Thank you to the many faculty members who attended one of our two open meetings to discuss governance issues and the proposals coming to the Academic Council and the General Faculty. We were happy to facilitate this opportunity for conversations and questions (some answered, some not). While the FWC Executive Committee is not taking a position on the matter, we affirm fundamental AAUP principles on academic freedom and shared governance and will continue to do everything we can to help faculty members get informed about the most sweeping changes we have ever been asked to consider.

CONGRATULATIONS! to **Irene Mulvey** who has been appointed by AAUP President, Cary Nelson, to the national AAUP Committee on College and University Governance. This committee promotes meaningful faculty participation in governance through its policy statements and investigations.

The University already has a “vision”...

When President von Arx wrote (4/20/09) that the University needed to embrace a new “vision” of “shared governance,” I shuddered. Why did so many not recognize that the University had a long-standing and effective vision already. I mean, of course, a vision articulated by Jesuit leadership of the Faculty in the mid-1960s and approved by the Jesuit Corporation, a vision articulated in the Faculty Handbook.

I remember arriving at Fairfield University in February 1965 as the first lay person in the Theology Department and being impressed with the Jesuit presence on the campus: in the dorms, chairing departments, being the Registrar and the Librarian, the Dean of the College of Arts and Sciences and the Academic Vice President (the last two being the same, legendary James Coughlin, S.J.); they were leading the lay faculty towards the dream of making Fairfield “the Notre Dame of the East,” “the Jesuit university of Southern New England.” To that end Robert Varnerin, S.J., James Bresnahan, S.J., Richard Rousseau, S.J. would urge the lay faculty to articulate a vision for the University, one which kept the Faculty as the soul, or if you will, the heartbeat of the University. We dreamed of the future, setting criteria for improving the quality of the Faculty in teaching, scholarship, and service. But the vision for that future was clear: the Faculty were to provide oversight in all aspects of University Life. And so, there was even a Faculty Committee on Liturgy! I remember serving on it for a couple of years and making decisions about the services in the Chapel

(then in the basement of Loyola). That’s why there still exists a Faculty Committee on Athletics and multiple other Faculty Committees, as examples of the sense that everything pertaining to University life was to be under Faculty oversight.

Oversight and direction are not planning, of course. The day to day operation of the University fell to the “Administration” and the Faculty happily left it there, as we do today. But the very spelling out of the responsibilities of the Faculty in the Handbook, as separate from those of the Administration and the Trustees, represented a vision of shared governance long before it became the buzz word it is today. Every day I came to work over these many years, I have understood that the Faculty Handbook spelled out my working conditions, was my contract with the University. The University has prospered for these 40 some years under this vision.

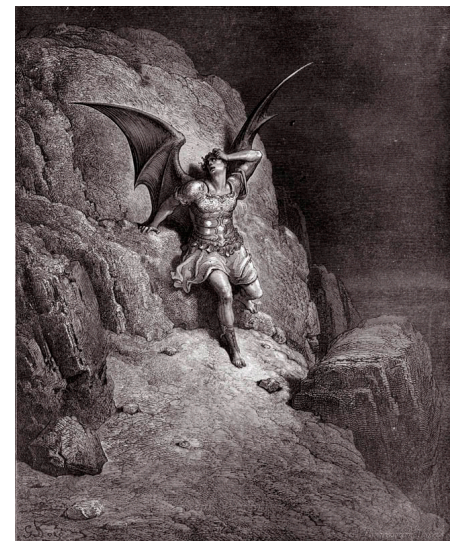
And so I view the changes being forwarded to the General Faculty this Spring of 2009 with much misgiving. It’s not the money issue or the healthcare issue. Were those Jesuits who shaped this Faculty Handbook language to do so today, I cannot imagine them giving health insurance “at no cost.” That provision in the mid-1960s recognized that faculty salaries were well below the national standards, even below local public school standards. As faculty salaries have risen and health care costs have skyrocketed, the reasonable must be acknowledged.

My problem is not with the change in the merit system, nor with the contribution to health care costs. My problem is with the gutting of the Faculty Handbook’s understanding of the Academic

Council as a strictly faculty forum and with the removal of the Fiscal Policies section of the Handbook into a separate document that is annually reviewable (not in itself a bad thing) and annually changeable (potentially in a unilateral way). Both of these changes would negate the vision of those Jesuits whom I so fondly recall and whose instincts for Fairfield I still so deeply respect.

The argument that other universities do the governance thing differently doesn’t persuade me that their way is better, only that Fairfield’s is different. Those founding Jesuits understood the nature of a university and did their best to capture the role of Faculty oversight in a university. It has worked well, hasn’t it? Let it be!

-Hugh Humphrey, Religious Studies



Paradise Lost

I’ve been teaching Milton’s *Paradise Lost* this semester. The epic begins after the rebel angels have been driven out of heaven, cast into the newly-created Hell, and thrown onto a lake of fire at the bottom of the universe. The first thing they do is pick themselves up, hold a General Demons Meeting, and try to decide what to do next.
(continued to of page 4)

Paradise, continued.

There are no good options. The very act of choosing a response comes to seem like a cruel joke.

I have tremendous respect for all my colleagues involved in talks with the administration and all those who have articulated responses to the results so far—which is very confusing at this point, since there are serious disagreements among them. But I have thought for a while, and continue to think, that the least bad option is to support the Salary Committee and the agreements that they have worked out. That is because the administration has made one extremely significant concession: the linkage in the future of the basic (“Standard”) level of merit pay to increases in the cost of living index. If the administrators and the members of the Board are truly committed to total compensation at the 95th percentile—and most of us believe they are—then this agreement severely limits the degree to which they can shift funds toward compensation to a minority of the faculty.

Make no mistake: They will do so. And they will continue to do violence to our health care and other forms of compensation, and the mass of faculty will suffer for it, for no good reasons. But I really do believe that seizing this offer is our least bad option.

-Robert Epstein, English



Thoughts from a new colleague

I write this note merely to share my thoughts as a new junior faculty member at Fairfield University. I have observed several disconcerting developments during my first year. I assume that I speak for most new faculty members when I say that I was surprised by the news that my health care benefits (one of the key incentives at the time I accepted my appointment) were likely to change dramatically after my first year. I understand this, however; Fairfield’s health care benefits for faculty are generous, and it is not unreasonable, in my mind, for the Administration to ask faculty to cost-share, provided the choices for health care options are not restricted and monies moved from benefits to salary as a result of cost-sharing are distributed fairly.

More unsettling is the division among the faculty regarding what to do under the presumed, but veiled, threat of unilateral alteration of the Faculty Handbook by the Fairfield Board of Trustees. I am convinced that some faculty members have justifiable concerns about the consequences in the event of a faculty vote against an Administration-favored proposal of changes to the Handbook.

However, I have not heard an adequate explanation of what such a unilateral action on the part of the Board of Trustees would mean (or what the motivations are for such drastic action), nor have I heard a satisfactory explanation of the consequences of bowing to a perceived threat by “voluntarily” changing the Handbook.

These circumstances and their peripheral issues seem to me to be so divisive that I hesitate to take a “side,” particularly when the two

alternatives both seem so unpleasant. I do not know for how many junior faculty I speak in this regard, but I am very tempted to simply sit out any decision. This temptation is only made greater by my ignorance of the real consequences of either action or inaction in these Handbook matters. The unanswered questions make it difficult for me to feel as though I can make an informed decision, and I worry that rushing an entire “package” through may disenfranchise those (like me) who need more time and information. If there are items which are mutually acceptable and will represent significant progress, then perhaps we should decide those items and take the time needed to work through the others.

-Name withheld upon request



AAUP 101:

Want a crash course in shared governance, higher education and academic freedom? The AAUP Redbook is recognized as an authoritative source on sound academic practices. Many of the policy statements are online or you can order a copy of your very own at <http://www.aaup.org/AAUP/pubsres/policydocs/order/>

All or Nothing: Is That What We Deserve?

There are few things more important for faculty to protect—as an entity—than collective voice and the power to make informed decisions. Each of these requires action on our own terms and in our own interests. Because of this, I would argue that our collective voice and deliberative power are in grave danger at this juncture. Consider how we are supposed to determine whether to accept or reject the package of changes before us—we have been informed that we either accept all changes in their totality or reject them in their totality. How, exactly, does that maximize our say over some extremely important issues that will govern our lives at Fairfield? Clearly this kind of mandate presumes that we do not have the right to craft a response that is a true reflection of the relative strengths and weaknesses of each component of the proposed changes. Moreover, this mandate forces us to accept potentially unpleasant or unwelcome changes much as a child is to take her medicine; trust your mom and dad—it might taste bad, but swallow, for ultimately it will be good for you. As I said during the General Faculty meeting on Friday, we are autonomous adults and should be treated as such.¹

The second element of this mandate which is also infantilizing, troubling, and counter to either collegiality or shared governance is the presumed penalty should we decide to reject the proposals. Apparently, the consequences will be dire. But what are those consequences and who had the responsibility for defining these? In this regard, we are left in the dark. It seems to me that any informed

polity has the right to weigh all of the costs and benefits of their decisions in advance of voting. Given the lack of transparency, we are not permitted to function in this manner. Consequently, how just is the process of deliberation and determination? I would propose that it is patently unjust. Of course, our administrative colleagues have the power to either grant us access to or deny us this vital information. But how is this illustrative of shared governance?

At this juncture, we are faced with some difficult choices and all of them are bad ones: we can ask for full disclosure regarding who decided on the all-or-nothing mandate, and the penalty for opting for nothing; we can accept part of the package of changes and wait to see the outcome; we can reject the entire package. Of course, the beauty of a democratic process is that each person has the right to use her voice in her own interests, but in this case I think it's important to remember a vital point. We are being told to assume that in good faith the Board of Trustees will not force more unwelcome changes on us in the future. Given how things have gone so far, that is too great a risk to take. This vote concerns not just the *Faculty Handbook*, salary and benefits; it concerns our right to true governance.

¹ Please understand that this is in no way a criticism of our colleagues on the Subcommittee of Governance or the Faculty Salary Committee. In fact, I find the heavy hand being used to shape our deliberation denigrates their hard work by forcing us to possibly reject all the good they have done over the segments that we might find problematic.

-Renee White, Sociology

Lose something to protect something more important

The fundamental problem we face is not this or that detail of the proposed changes but the apparent threat on the part of the Trustees to break the Handbook to which they are a party. “If we cannot persuade you, we will force you.” This is the logic of the Board of Trustees. “If you will not change the Handbook, we will break the Handbook.” Unfortunately, we need to vote in favor of these proposals not because they are good in themselves—though some of them seem to me quite sensible—but because this is the only way we can save the Trustees from their own disastrous course of action, preserve the commitment to the Handbook, and so maintain our own integrity and that of the whole university. To let the Trustees renege on the Handbook provisos means that, effectively, all those protections disappear. And then what could happen in the future to our Handbook provisions on hiring, promotion and tenure? Fairfield’s faculty has always taken the moral high ground, and we have to do it one more time. We will lose something in order to protect something more important. We should be very clear how disappointed we are that the Board has placed us in the position of having to save them from themselves in order to preserve our institutional integrity. But we have to vote “yes.” To do so in this difficult situation is to act with integrity, and so to preserve and enhance the right kind of power in the face of mere bullying.

-Paul Lakeland, Religions Studies



Acknowledge the threats but decide based on the merits.

In the last FWC newsletter, I wrote an informational article. For this newsletter, I want to share my views on the changes that have been proposed to the structure of our health benefits and to the *Faculty Handbook*.

A key point to keep in mind is that the Academic Council, and the General Faculty when we meet as a whole, are deliberative bodies. As such, we have a responsibility to debate matters, and on the basis of those debates and deliberations, come to an informed view on the matters and cast our votes accordingly. Inherent in such a process is that the debate and deliberations should be based on the merits of the proposals being considered.

What do not belong in such deliberations are threats. In almost no situations, and certainly not in the one we are debating, are threats relevant to the merits of a proposal. Yet unfortunately, threats have been introduced into our current situation, and so it is difficult to avoid commenting on them. So I will first make some observations about these threats, and then put them aside and discuss what I see as the merits of the of the proposals under consideration.

Concerning threats, one of our colleagues recently asked us to consider what advice we would give to a student, friend, or fellow faculty member who came to us seeking advice on what to do about an abusive and threatening relationship. Would we say "Your spouse is threatening you? Better do as they say. Boyfriend's being pushy? If you give in you win."

Of course we would not give such advice. We would not give it both for principled and for practical reasons. The principled reasons are obvious, but the practical reasons are clear as well. Threats and coercion are no foundation for a working relationship. You would never suggest to someone seeking this sort of advice that if they give in, they could reasonably expect the offensive behavior to end. Exactly the opposite. If they give in, all they

can expect is similar treatment in the future. Likewise for us.

As faculty, we are in the position of having options available to us for dealing with the threats being made. It seems clear to me, and I hope to you as well, that a president that issues the sorts of threats we have seen recently, and a president who does not think that administrators and Boards of Trustees are bound by agreements they have made with the faculty, is not a suitable president. Not suitable for any respectable university, and certainly not for a university that espouses Jesuit values. If we continue to hear such threats, or if the president allows unilateral changes to be made that violate our agreements and so fly in the face of Jesuit values, I think we will have to insist on a new president.

Turning to the merits of the proposals under consideration, the most contentious issues fall into three camps: (i) cost sharing on faculty health premiums, (ii) adding administrators to the voting membership of the Academic Council and to the Council's Executive Committee, and (iii) removing language from the *Faculty Handbook* that protects our health benefits.

With respect to cost sharing, I've pointed out earlier that over the long run, such a move will hurt younger faculty, especially younger faculty with children. And this is a big negative. However, the proposed language tying basic merit increases to cost-of-living increases would provide some assurances about how savings from cost sharing are distributed. So if the cost sharing (something the administration has long wanted) is tied to the cost-of-living language (something the faculty has long wanted), then we have a typical compromise: one that neither side really likes, but that we can live with.

Concerning the proposed change to the voting membership of the Academic Council and the Executive Committee: The model of governance in our *Faculty Handbook*, including the current structure of the Academic

Council, is very much in keeping with standard views on what constitutes shared governance, for example, the model of shared governance jointly formulated by the AAUP, the American Council on Education, and the Association of Governing Boards of Universities and Colleges. This model of shared governance puts decisions on academic matters under the purview of those who have the greatest expertise on academic matters, namely, the faculty. Decision making bodies such as the Academic Council should have a place for administrative voices to be heard, and that is exactly the current structure of the council (7 out of 25 members of the Academic Council are administrators). But after the various voices have been heard and it is time to decide, those decisions on academic policy should be made by the faculty. The proposed changes, then, would move us away from this model of shared governance. Primarily for these reasons, I think this proposal would be detrimental to the university.

On the proposal to remove *Faculty Handbook* protections for some of our key benefits, I think this too would be bad for the university. In an area with as high a cost of living as ours, our current *Handbook* language concerning benefits is one of the key tools we have for recruiting and retaining faculty. Some universities have similar protections, but some don't, and if we are competing against a school that does not have such protections, our current *Handbook* language gives us a substantial advantage in recruitment and retention. So for these and other reasons, I think these changes would also be detrimental to the university.

In summary, I would be willing, albeit somewhat reluctantly, to support the idea of cost sharing on health premiums if we also have the proposed linkage between merit increases and cost-of-living increases. But for the reasons given above, I see the proposed changes to the Academic Council, and the proposed changes to the *Handbook* language protecting our benefits, as bad for the university.

-Rick DeWitt, Philosophy

From Last Friday's Acting Faculty Chair:

I chaired the general faculty meeting on Friday, April 24 and in that role, it is not appropriate for the Chair to speak. I do, however, have a few thoughts regarding the proposed package plan that was discussed and want to share my perspectives.

First, it seems to me that there are far too many unanswered questions with far too few benefits to even consider this package plan as a viable and reasonable one. I agree with General Faculty Secretary Irene Mulvey's viewpoints which she so eloquently shared in the recent FWC newsletter – there are some benefits to consider if one considers the plan not as a package, but rather, as separate items. I also agree with Professor Leo O'Connor who voiced his extreme disappointment with the package at the faculty meeting and feel that it is important for the current faculty to not just respect the work of our predecessors who worked tirelessly to create the handbook as it now stands, but to also honor their hard-earned work to protect us. Doing so might necessitate that the faculty consider not just seeking legal counsel to answer a few questions, but perhaps, to have someone perform a more comprehensive review of each of the components within the package, analyze the language and offer some suggestions. It seems reasonable to me that since the faculty has already graciously agreed to a zero-raise for the 2009-2010 academic year that progress has already been made in a shared governance format and that there is no urgency to move immediately forward to make such drastic changes as is proposed without a full understanding of the consequences.

Shared governance means exactly that, and threats, whether perceived or actual is antithetical to something being shared. I must admit that when I heard the term threat being used, I had assumed that it was based in more of an emotional response rather than in an actual perception. However, this term continues to be used and since it is perceived by some as being such, it becomes one in actuality. It seems reasonable to me that feelings of being threatened should not occur and most assuredly should not occur on a

university campus which identifies itself as Catholic and Jesuit. Since one of the tenets of Jesuit beliefs is social justice, I find it hard to understand how those with administrative authority have not actually supported the faculty by clearly articulating that threats (perceived or actual) are not welcome at Fairfield University.

-David Zera, GSEAP

Random Thoughts from Joe D:



As I sat listening to Paul Lakeland's eloquent presentation at the faculty meeting, I kept imagining the following scenario. The schoolyard bully demands your lunch money. Rather than fighting him (and maybe getting your behind whipped), you give him your money. You have the high moral ground for not fighting on school property but he has your money. Can you claim the high moral ground even if not done on moral principles?

As I have said in a number of meetings, I have been with Jesuit institutions for 4 years of high school, 4 years of college and 30 plus years of teaching. I have never heard that part of the Jesuit values and teaching was that one could unilaterally break a mutually agreed upon document. I would hope that a number of Jesuit faculty members, administrators and Board of Trustee members would stand up and say to the Board that threats of unilateral action to break an agreement are not in the Jesuit tradition and are unacceptable at a Jesuit institution.

President von Arx speaks eloquently about the issues in his suggested forward to the Handbook and his letter to the faculty. His forward contains phrases such as "the result of a collaborative and consultative process", "values of mutuality", and a whole paragraph on "shared governance" and what it means. However, the document also says the Board has "ultimate oversight" not just on fiscal issues but on all of the policies in the Handbook. His letter speaks of reaching agreement between faculty and administration on an MOU that includes benefits. He says rightly that, in the event the faculty and

administration cannot agree, the Board can decide. Of course, currently the only issue in the MOU is usually the salary number; if the new structure is adopted, all benefits will be open to a unilateral Board decision. For example, the Board wishes to raise the percent the faculty pay for health care to 15%; the administration brings it to the Salary committee; the committee rejects it; so the Board enacts it as will be its right. It seems to me to be a bit of a strange definition of shared governance among 3 parties where one party has ultimate authority over everything.

I find it interesting that, despite the claims that the Board has wanted changes to the health care premiums for years, until very recently no proposals from them have come forth on this issue. I spent 3 years on the Salary committee (the 3 years before VP Weitzer arrived at Fairfield) and in that time, the administration never put health care on our agenda to discuss and never brought to the table any proposals to address the issue. Proposals have come forward recently but with threats attached to them. One will never know how the faculty would have reacted to the current proposals if some version of them had come forward 6 years ago. It is possible to edit the Handbook but one needs to propose amendments to do that and, to the best of my knowledge, the Board/administration never did that on the health care issue.

Having said all that, I am having difficulty making a decision on what to do. There are many good things (in my opinion) in the package. One of the best things is the way the faculty and administration have worked together on very difficult and contentious issues. But I see 2 conflicting legitimate desires. The Board wants to be able to exercise its legitimate fiscal responsibility more easily and in a more timely fashion. The faculty wishes to protect itself and its benefits from arbitrary and capricious decisions of the Board.

I find myself in a quandary trying to figure out how to balance those 2 conflicting desires. I hope to continue to hear rational arguments from all positions on these issues in the next few weeks.

-Joe Dennin, Mathematics

FROM THE ARCHIVES:
Snippets unearthed by the Secretary of the General Faculty...

**FAIRFIELD UNIVERSITY
FACULTY HANDBOOK
Tenth Edition 2006**


From section I.A.8 (page 3)


8. Provisions for Amendment


The General Faculty or the Board of Trustees may propose amendments to the Faculty Handbook by submitting said amendments to the Academic Council for its review and recommendation. The President or his officially designated representative shall report in writing to the Academic Council either agreement or disagreement with the proposed amendment within thirty days after the Academic Council considers the amendments as an agenda item. All amendments must be accepted by both the Board of Trustees and the General Faculty. General Faculty approval is obtained by a two-thirds vote of those present and voting at a regularly scheduled meeting of the General Faculty.

Duly ratified amendments to, and new editions of, the Faculty Handbook will be published by the President or his designee after their texts have been reviewed for accuracy by the Academic Council or its designee(s).

In the event that a proposed amendment is not accepted by the Board of Trustees, the President or his designated representative shall communicate the Board's reasons in writing to the Faculty Secretary within thirty days. In the event that a proposed amendment is not accepted by the General Faculty, the Faculty Secretary shall communicate the faculty's reasons in writing to the President or his designated representative within thirty days.


The Faculty Welfare Committee/AAUP at Fairfield University is an ad hoc committee of the General Faculty and an affiliate of the National AAUP.


The Mission of the AAUP:
to advance academic freedom and shared governance, to define fundamental professional values and standards for higher education, and to ensure higher education's contribution to the common good.


Faculty Welfare Committee/AAUP Executive Committee: Kathy Nantz (President), Joe Dennin (Vice-President), Bill Abbott (Secretary), Rick DeWitt (Treasurer), at-large members Bob Epstein, Marcie Patton, Cheryl Tromley, Kate Wheeler, and Membership Director, Betsy Bowen.

Faculty Welfare Committee/AAUP
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