

Faculty Welfare Committee/AAUP Excellence in Education

Fairfield University Workers United

(FUWU!!!) is a coalition of labor groups on campus. The FWC/AAUP is proud to join in this coalition with our fellow employees. Last semester, we participated in a FUWU TEACH IN that focused on **CURA PERSONALIS and CAMPUS WORKERS**. We invited fellow faculty members who are knowledgeable about these topics to join with other brave campus workers, inspirational students and guest speakers from outside to discuss and help shine a spotlight on the working conditions for employees on our Jesuit campus.

Current FUWU news is that the maintenance workers on campus, represented by the International Union of Operating Engineers, Local 30, have begun negotiations for their multi-year contract. FWC/AAUP representatives on FUWU have pledged support the workers as needed and will continue to share updates.

In addition to continuing to represent the faculty on FUWU, we are partnering even more closely with an incredible student group, **Students and Workers United**. This group has been extremely active this year in raising the profile of issues facing the outsourced custodial workers on campus. This semester they have done postering, distributed 'zines, and had an info session in Barone Campus Center. They have taken to social media as well as holding a rally on campus and doing nighttime projection onto campus buildings of facts about challenges facing custodial workers (see photos inside). They met with representatives from Fairfield's Human Resources Department, and are working toward a meeting with ABM, the contracting company employed by Fairfield. FWC members Irene Mulvey and Sonya Huber joined in on a roundtable conversation for students on their rights in the workplace last week in BCC. You can follow SWU on Instagram at @fu_swu



MEMORANDUM
Fairfield University

TO: Academic Council
FROM: Faculty Welfare Committee/AAUP Executive Committee
DATE: February 26, 2019
RE: Language on academic freedom in *Faculty Handbook* and annual contracts

As a result of long-standing and jointly-held convictions by Fairfield University administration and faculty, we have good language affirming our commitment to the protection of academic freedom in our *Faculty Handbook* and in the annual contracts that tenured and tenure-track faculty sign. However, a fairly recent US Supreme Court decision (*Garcetti V. Ceballos, 2006*) signaled a threat to academic freedom with respect to a faculty member's ability to participate in governance, and this has led many institutions to strengthen their language on academic freedom.

In fact, as early as 2011, the University of Minnesota, the University of Delaware, the University of Illinois, Pennsylvania State University, Auburn University (AL), Oakland University, (MI), University of Florida, University of Wisconsin, University of North Carolina had all approved academic freedom language for *Faculty Handbooks* and other governance documents to protect against the *Garcetti* decision.¹

The Modern Language Association wrote, "In response to *Garcetti* and the more recent decisions of lower courts, the Modern Language Association advises all faculty members at public colleges and universities to review and, if necessary, revise their faculty handbooks to include language that directly addresses *Garcetti's* challenge to speech relating to official duties. ... we recommend that all faculty senates at public colleges and universities revisit their institution's definition of academic freedom, and we recommend that all public colleges and universities reaffirm the right of their faculty members to speak on matters of public concern – and matter pursuant to their official duties – without fear of retaliation."²

The Fairfield University *Faculty Handbook* (11th edition, 2013) contains the following language on academic freedom (page 26, emphasis added):

The statement on academic freedom, as formulated in the 1940 Statement of Principles endorsed by the AAUP and incorporating the 1970 Interpretive Comments, is the policy of Fairfield University. **Academic freedom and responsibility are here defined as the liberty and obligation to study, to investigate, to present and interpret, and to discuss facts and ideas concerning all branches and fields of learning.** Academic freedom is limited only by generally accepted standards of responsible scholarship and by respect for the Catholic commitment of the institution as expressed in its mission statement, which provides that Fairfield University "welcomes those of all beliefs and traditions who share its concerns for scholarship, justice, truth, and freedom, and it values the diversity which their membership brings to the university community."

This language is repeated exactly in tenured and tenure-track annual faculty contracts.

We propose revising this language (in both the *Faculty Handbook* and in the annual contract) as suggested in *Protecting an Independent Faculty Voice: Academic Freedom after Garcetti v. Ceballos*³ by replacing the second sentence (in bold above) with the following two sentences, and leaving the rest intact:

Academic freedom is the freedom to teach, both in and outside the classroom, to conduct research and to publish the results of those investigations, and to address any matter of institutional policy or action whether or not as a member of an agency of institutional governance. Professors should also have the freedom to address the larger community with regard to any matter of social, political, economic, or other interest, without institutional discipline or restraint, save in response to fundamental violations of professional ethics or statements that suggest disciplinary incompetence.

The 1940 Statement has been endorsed by nearly 300 scholarly associations.⁴ The fact that our *Faculty Handbook* refers to the 1940 statement *and* the 1970 Interpretive Comments is indicative of the care and diligence with which our faculty predecessors sought to protect academic freedom. With this update to the definition of academic freedom, our documents will continue to be as strong as possible on this most important foundation of any modern University.

¹<https://www.aaup.org/get-involved/issue-campaigns/speak-speak-out-protect-faculty-voice/how-and-success-stories-and>

²http://www.mla.org/garcetti_ceballos

³<https://www.aaup.org/report/protecting-independent-faculty-voice-academic-freedom-after-garcetti-v-ceballos>

⁴<https://www.aaup.org/endorsers-1940-statement>



Students
and
Workers
United:
Practicing
What
We
Teach.
[@fu-swu](https://www.instagram.com/fu-swu)

The Faculty Welfare Committee/AAUP at Fairfield University is an ad hoc committee of the General Faculty and an affiliate of the national AAUP. We promote the professional and economic interests, broadly defined, of the Fairfield University Faculty. All our activities are open to all members of the faculty but we are funded entirely by our dues-paying members. To join, contact any member of the Executive Committee

From the FWC/AAUP President:

Dear Colleagues,

What a relief it is to have a multi-year contract, amirite? Those of us who have been here more than a few years will remember how difficult things became every year at this time when our colleagues on the Faculty Salary Committee were working under difficult time pressure to reach agreement on a new Memo of Understanding. Let's all take a moment and give thanks to the teams *on both sides* who were able to negotiate a multi-year contract for us.

Without having to support the FSC in their collegial discussions, the FWC/AAUP was able to focus on other things and think about different kinds of programming for faculty and for our members moving forward.

Some members of the FWC Executive Committee have been very busy with FUWU and with SWU. It's been rewarding to be able to broaden our perspective on working conditions and social justice for *everyone* who works on our beautiful campus.

I've been extremely busy with my work at the national level with AAUP. In Fall 2017, I was appointed to a small Contingency Planning Working Group by the AAUP President. As I have explained in earlier newsletters, we began to prepare for a significant loss of revenue if, as happened in June 2018, the Supreme Court ruled against labor organizations in the *Janus* case. Our group's recommendations were taken up by the AAUP Council, the governing board of the Association, last weekend at a special meeting in DC. I am excited that the changes are moving forward for approval by the membership at the annual meeting in June. It's been challenging and difficult to try to figure out how the AAUP can continue to do the good work it's been doing for over 100 years, but I am optimistic that our changes will result in a leaner and stronger AAUP. Throughout the process, our guiding principles have been: What's best for the members? What's best for the movement? What's best for the profession? The national office will be sending updates to all members within the next week or so. Please contact me if you have any questions. I have been deeply involved in all aspects of these proposed changes to governance and reorganization of the AAUP, and would be happy to explain anything.

I was asked to chair an investigation at Maricopa County Community Colleges in Phoenix last fall, and the report was just published. It was extremely interesting! If you have 10 minutes for a brief summary of this very interesting case, you can watch the facebook live I did when the report was published at <https://onefacultyoneresistance.org/aaup-investigative-work/>

There's a lot more to say, but it will have to wait until the next issue!
In solidarity,
Irene Mulvey,
FWC/AAUP President

FWC/AAUP Executive Committee: Irene Mulvey, President; Maggie Labinski, Vice-President; Bill Abbott, Secretary; Paul Baginski, Treasurer; At-large members: Peter Bayers, Anita Fernandez, Anna Lawrence, Sonya Huber. Immediate Past-President Rona Preli