

NATIONAL SANCTIONS LOOM FOR IDAHO STATE UNIVERSITY

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The American Association of University Professors is the nation's oldest and most prestigious organization protecting faculty rights. Currently the American Federation of Teachers and the AAUP are engaged in a collaborative effort to organize faculty at large public universities. Bargaining as a coalition, the AFT/AAUP now has union contracts on six campuses across the nation. The AFT, AAUP, and the National Education Association represent 440,000 faculty on over 1,100 campuses.

About 210 professional and educational organizations have endorsed the *1940 Statement of Principles on Academic Freedom and Tenure*, which the AAUP jointly formulated with the Association of American Colleges and Universities. Ever since 1963 the AAUP has censured institutions that violate tenure rights and academic freedom

Currently there are 60 institutions on the AAUP censure list, and North Idaho College is one of them. In 2007 the NIC administration dismissed Jessica Bryan, who had taught 13 consecutive semesters and was once nominated as Part-Time Faculty Member of the Year. In 2009, after a thorough investigation, the AAUP concluded that Bryan had been given insufficient notice (one day rather than one month!) and that her due process rights had been violated.

The basic enunciation of principles of faculty governance in American higher education is the 1966 *Statement on College and University Government*, which the AAUP developed in cooperation with the American Council on Education and the Association of Governing Boards of Universities and Colleges.

Faculty governance of the university goes all the way back to the Middle Ages. The medieval university had minimal central authority and the various colleges were essentially autonomous. In contrast to CEO-like administrators in America, deans and presidents of many European universities are still elected by a direct vote of their faculties.

Since 1991 the AAUP has had a policy of sanctioning colleges and university administrations for "substantial noncompliance with standards of academic governance." Separate from the censured institutions, this sanction list serves a warning to prospective employees that these campuses do not respect basic faculty rights in the area of academic governance.

Currently there are four institutions on the AAUP black list of sanctioned administrations. They are Antioch University, Lindenwood College, Elmira College, and Miami Dade College—not an especially distinguished group of schools.

The AAUP has now launched an investigation of the suspension of the Faculty Senate at Idaho State University. At its February 17 meeting the State Board of Education took this action at the request of ISU President Arthur Vailas without any faculty input or discussion. Incredibly enough, the locks on the ISU faculty senate meeting place were being changed at 1:40 PM, five minutes after the Board had voted.

In a February 22 letter to Vailas, AAUP's Associate Secretary Gregory Scholtz gave him until March 1 provide an adequate rationale for the action or the AAUP would initiate an investigation. Vailas did respond six days later, but in a March 3 letter Scholtz found that he had failed to show that "there were extraordinary factors for the actions that were taken" against his duly elected senators.

One factor was absolutely clear. On February 10 the ISU faculty voted by a margin of 4-1 that they had no confidence in Vailas as president. Last spring they had voted by a similar margin against ISU Provost Gary Olson. The conclusion is inescapable: the dismissal of the senate was an act of revenge—pure and simple.

In a hard-hitting editorial the *Idaho State Journal* (Feb. 21) declared that the Board had handed Vailas a "false victory" in ignoring the voice of the faculty. The editorial surveyed no confidence votes on three other campuses in the past two years and found that the administrators there resigned and their replacements promised to respect faculty rights.

AAUP's General Secretary Gary Rhoades has authorized his staff to conduct an investigation and prepare a report on the ISU crisis for AAUP's annual meeting in June. Knowing the facts as I do, I believe a vote for sanction against both ISU and the Board is a foregone conclusion.

In 1981 the University of Idaho declared financial exigency in its College of Agriculture and laid off 17 faculty members (11 were tenured). I personally interviewed each of them, and only one—tenured Professor Lois Pace in the 4-H program—was willing to challenge her dismissal.

The faculty union raised \$40,000 for her legal defense and in 1984 Judge Ronald Schilling ruled that the UI had failed to prove a financial emergency. Seven other faculty members joined her suit and the total settlements were over \$1 million.

The AAUP launched an investigation and found that there was sufficient evidence to prove that people rather than programs had been targeted. Under the UI's financial exigency procedures, tenured professors can be dismissed only as members of units duly designated for elimination. The UI was placed on the AAUP censure list in 1983.

In 1989 a UI committee selected Elizabeth Zinser as the finalist for the office of president. Before assuming office, Zinser insisted that the UI adhere to the highest academic and professional standards. The State Board changed its financial exigency policies in accordance with AAUP guidelines. Censure was lifted in 1989 and Zinser became the UI's 14th president.

In February of 2010 the Board voted to give campus executives full power to dismiss staff and reduce programs during financial emergencies. The Lois Pace case had given campus employees some of the best lay-off procedures in the nation, but now they are in shambles. The promises that the Board made in 1989 in order to erase censure have been broken.

Far too often Idaho is the source of embarrassing news, and academic censure will be yet another black eye for our state. The solution to the ISU crisis is simple: the Board must rescind its decision to undermine faculty democracy at ISU.

Nick Gier is an AAUP member and he taught philosophy at the University of Idaho for 31 years.