



Term Appointees, Term Positions And The Academic Career Ladder

Paul T. Wilson, President

This year, among almost 40 new faculty hires, about 70% were one-year term appointments. At the new faculty orientation, several people with doctorates in hand or in progress posed a question about how likely it was that term appointed faculty could be converted to tenure track positions, i.e., is a term position the first rung on the academic career ladder. A few weeks ago, because there have been ongoing questions about converting appointments (to both traditionally ranked and faculty specialist positions), we issued a bulletin to stimulate some thinking about the distinction between the person and the position. Here I'd like to follow up on this issue in more detail, beginning with the relevant text from the Agreement:

14.§2.1 *One-Year Renewable Term.* The Renewable-Term appointment is used for leave-of-absence, sabbatical leave and emergency replacements and for temporary instructional needs, with the recommendation of the departmental faculty, but the consecutive appointments shall not exceed five (5) years. When a term position has been renewed for a fourth consecutive year, the position shall be evaluated and considered for conversion to a tenure-track position.

A full discussion of this section of the Agreement would certainly include a comparison of the uses specified for term appointments and actual current practice. The current use and role of term appointees bears on two issues: faculty control of the curriculum (that I raised in a recent bulletin), and the extent to which Western is committed to consistent ongoing support for the core of our programs. However, for now, I'm going to stick to the narrower theme of conversion and its implications.

Background on Administration Arguments from the 2005 Negotiations: The distinction in the Agreement is between person and position: "the position shall be evaluated...." The Administration defended the word "position" quite specifically during the 2005 negotiations. From sitting at the table, I can tell you what the intent was. There are several aspects to it.

First, a single term position might actually be occupied by multiple different persons over a period of years, but the position could still be reviewed because of its importance to the program it serves. There are, however, reasons of greater substance.

Second, when a "position" is considered for conversion, the primary issue is what that **new** position must be. Western's negotiators were adamant about this. When a position is converted, the description and the rationale for the position must be converted too. The rationale for a tenure-track appointment is different from the rationale for a term appointment. The qualifications for a tenure-track appointment are very likely different from the qualifications that were specified for the term appointment. The description of the tenure-track position should be significantly different from the description of a term position because the standards for gaining a tenure-track position will be higher.

Third, when a term position gets converted to tenure-track, there must be a search, most typically a national search, because of the nature of the new position; it must be filled the same way that other such positions are filled. The person currently occupying the term position is free to apply for the tenure-track position. However, there is no automatic conversion of the person.

This is the rub for the people currently in term positions. Why is there no automatic conversion available to the person? And why would the person in the term position not receive years of credit for having done the job already?

The first part of the administration's argument comes to rest on the differences between tenure-track and term appointments summarized above. But the argument gets elaborated when we consider the kinds of reviews that tenure-track faculty receive. Beginning with the search, tenure-track faculty are evaluated in a somewhat competitive process, driven by peer review of all aspects of their record. Term appointees have not

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gone through the search process in a comparable way. To ignore the search process would create inequities, and would lead to a weakening of the ranks of the tenure-track and tenured faculty. Every tenure-track position must be filled by a comparable search. Thus it would be improper to convert to tenure-track status people who have not gone through the tenure-track search process.

The second part of the argument flows directly from the point about the differences in the search process, but it shifts the focus to comparing the reviews that term appointees and tenure-track faculty receive. Faculty reviews of term appointees are allowed in Article 14.§1, because faculty have a voice in the appointment and reappointment (i.e. the reviews) of all faculty. The only hints about how to do the reviews come in Article 16.§6, re. Evaluation of Faculty, where we find a vague process: Term appointee reviews must be completed by April 1 of each year, and must include student ratings from at least the first semester, as well as classroom visitations in both semesters. Professional Recognition may be evaluated, but only at the term appointee's request. The schedule and procedure for these reviews are not specified. Article 23.§2.2 on Department Policy Statements, does include as mandatory, "Policies for making recommendations ... concerning appointment and reappointment of faculty." Thus a department may specify a procedure for term appointee reviews in the DPS; I confess that, until recently, I read that language as applying to the tenure-track and tenured faculty.

What is plain, beyond the lack of specificity, is that the term appointee reviews are not part of the normal schedule of tenure and promotion reviews, and they are nothing like those reviews. For a tenure-track faculty member, Article 17 is very specific about criteria, schedule, process, and remedies, and can be augmented by Department Policy Statements where criteria more specific to different areas can be articulated and then applied. So, for example, if tenure-track faculty members want early reviews, there is a record of previous reviews they can point to and build on. In the present system, term appointees cannot accumulate a similar record of intermediate reviews and, thus, have no argument based on their annual reviews for why they should be converted to tenure-track or receive any years of credit towards tenure. In order to get tenure, and in order to get years of credit towards tenure, candidates must go through the peer-review driven tenure process.

For all of these reasons, Western's team was unwilling to consider any conversion of the person. The conversion was solely of the position.

What to Do Right Now? Although we have had several concerns about how term appointments are handled at Western, the term appointed faculty are our members, and we represent them. So we must take into account their best interests. Within the framework of the Agreement, that means (a) making sure that appropriate annual reviews take place, with faculty advocacy and mentoring as appropriate, and (b) that, if a position is occupied for at least 4 years, the position (as specified in the Agreement) will be evaluated for conversion to tenure-track. We will be sending out reminders to all departments about term appointee reviews so that they can be done in a timely manner.

The Future Direction Depends on You: Doing the reviews and getting positions evaluated for conversion does not help the people who have been filling those positions. In a peer review driven system, in fact, faculty would make discriminations about whom to encourage. Without a formal process, to the extent that we feel it is justified, we should encourage and promote the interests of those term appointed faculty whom we think would make good tenure-track candidates. They will, however, need to deal with the factors and arguments about why they should not have any particular preference for converted positions. What we must consider, for the future, is how the search process for term appointees and their annual reviews might feed into conversions. We must, in other words, consider the hiring criteria and the review procedures for term appointees.

The Officers and the Executive Committee would like your views about this cluster of issues. It's well nigh inevitable that we will discuss the term appointment language during the 2008 negotiations. So what I'm about to delve into is not the WMU-AAUP negotiating position, but an attempt to stimulate your thinking about the issues. And, in turn, we need you to tell us what you think, what you are willing to support.

If we take as one of our core issues that we do not have enough faculty, and that hiring term appointed faculty is a recognition of that fact, then can we take these appointments seriously as a possible avenue to address our need for more faculty?

First, we, the faculty, may want more detailed input on the descriptions of the term positions in our departments. The position descriptions should reflect our real long term staffing needs, and should articulate the desirable qualifications. We would be better off if we could get term position descriptions and qualifications, along with the requisite financial support, that could bring us people who would be well enough qualified that they could be ready to move up.

Second, we may want to give some thought to the kinds of reviews that our term-appointed colleagues receive. Rather than pro forma, quick and dirty reviews - with little attention to whether the person is accumulating a worthwhile record - we may want to engage in better reviews that document performance at a verified level of quality. A new approach to reviews could better serve the interests of the well-qualified term appointed faculty because they would provide a sound basis for ongoing employment.

The Importance of Peer Review: The added dimension to what I'm asking you to consider is peer review. Part of Western's argument about converting only positions, and not people, was based on the people not undergoing either a tenure-track search process or tenure reviews. At the heart of these searches and reviews is peer review: Candidates must be reviewed by others who have already attained the position and rank to which the candidates aspire. Among the professional fields we, the faculty, are uniquely self-governed through our commitment to merit-based peer review

It is through the application the judgmental criteria, which must be merit based, that the faculty retain their voice, their credibility, on tenure, as well as their claims to academic freedom and shared governance.

The Bulletin from a few weeks ago, and this analysis, are part of our preparations for the 2008 negotiations. Both term appointees and the tenured and tenure-track faculty need to do some thinking about what must be in place if term positions are going to be converted, and if the faculty wish to advocate for having a current term appointee considered for the new position. It seems to me that the only way this can happen is if there is peer review applied to the term appointees, both at the time of the initial hire and at key points in the schedule of annual reviews. The only way that an argument can be made to consider term appointees for tenure-track positions is if those peer reviews resemble what is done for tenure reviews.

Campus Equity Week

Jo Wiley, Vice President

The ghost pins seen recently around campus were not just about Halloween. Traditional, term, and part-time faculty members, along with graduate teaching assistants, wore them during Campus Equity Week activities, which included showings of the documentaries “Degrees of Shame” and “Simple Matter of Justice” and constructive conversations about work load, recognition, and equity across job descriptions.

Our contingent faculty members and teaching assistants expressed gratitude for being included in the events and the recognition they received regarding the role they play supporting the University curriculum, as well as the value they bring to our students through their teaching. They enjoyed the ghost pins and they appreciated tenure/tenure-track faculty who showed support by wearing equity pins during the week.

All who attended were particularly troubled by two stories of employment conditions for part-time faculty.

One person related how the administration has slowly but methodically devalued and demoralized her since her first part-time appointment in 1992. When initially hired to teach on a part time basis, she received a per-credit-hour salary, life insurance, personal healthcare coverage, and retirement contributions to MIPSERS. Except for a two year hiatus, she has been continually employed part-time, in the same department, since 1992. However, through a series of “notices” over the years, she was informed of changes to her benefits. The university pulled part-time faculty out of its life insurance plan, stopped providing any healthcare coverage, and attempted to eliminate contributions to their state retirement plan. Through all of this, the per credit hour pay rate has remained the same. Many others verified the fact that part time pay has not been raised at WMU in over 15 years.

Tenure is not an automatic promotion system, and the academic career ladder does not proceed just according to a schedule. . The number of years someone is on the job may well be among the qualifying criteria for being considered, but it is not one of the judgmental criteria. What we want to do at this point is encourage people to start asking the questions that will lead to better understanding of the nature of our career progression system -- which we are committed to upholding. This way, if term appointed faculty want to move into it, they'll have a better idea of what to do.

Another equally troublesome reality was pointed out by a number of contingent faculty. Apparently, although they are issued WMU ID cards, provided WMU parking stickers, and receive paychecks signed by the WMU administration, part-time faculty have been told—in many different circumstances and contexts—that they are NOT employees of WMU. In one case, a part time faculty member who requested to meet with a WMU president was told she could not make an appointment because she was not an employee of the University. Another long serving part-time faculty member attempted to apply for an open staff position on campus but had her application turned down because the posting was “internal” and she was an “external” applicant.

In organizing the CEW events, I heard from all classifications of faculty. Many of the comments were positive, supportive, and enthusiastic about creating a sense of community among all faculty. Unfortunately, some tenured and tenure-track faculty also reacted quite negatively, insisting that the contingent faculty is “our competition” and need to be pushed out of the University. The reality is that we do need some part-time and term-appointed faculty to help deliver our curriculum. We must, however, also remain steadfast in our advocacy for increasing the number of full-time tenure track positions.

As we head into a negotiation year, it’s imperative that we all keep in mind that if our faculty members are resentful and suspicious of each other, rather than mutually invested in workplace dignity, it will undermine our purpose, our work and our momentum. We have a lot of work that must to be done in order to move this University (and all of its internal relationships) forward, thus improving our work environment and conditions and strengthening the faculty’s role in curriculum development and delivery, academic freedom, and shared governance. We all need to work together, with each other.

WMU-AAUP

Winter Office Hours

8:30am—4:30pm

Website Address

wmuaaup.net

Chapter Email Address

staff@wmuaaup.net

Grievance Update

Lisa Whittaker, Grievance Officer

New grievances:

One grievance was filed in November related to Professional Conduct, Article 21.§1.1. in the College of Education.

Closed Grievances:

Four grievances have been closed within the last few months.

One individual grievance on a promotion in the College of Fine Arts resulted in a re-review.

One chapter grievance on workload in the College of Arts & Sciences was closed in October with the signing of an amended letter of appointment.

One chapter grievance on tenure in the College of Arts & Sciences was closed in October with the signing of a Letter of Agreement on evaluation of work assignments.

An Unfair Labor Practice filed in January 2006 with the Michigan Employment Relations Commission (MERC) on behalf of the College of Aviation faculty was resolved with a September 6, 2007, Letter of Agreement providing a two-year extension of appointments of ten (10) aviation specialists who are currently in their fifth consecutive, one-year renewable terms. The two-year exten-

sion will begin at the end of their current appointment term. The aviation specialist position will be reconsidered in the 2008 negotiation of the *Agreement*.

A chapter grievance regarding handling of property and data has been resolved with a Letter of Agreement. The agreement is that all chairs/directors shall give at least two weeks' notice to the department faculty prior to potential equipment disposal.

Outstanding grievances:

There are two outstanding grievances.

A response from WMU to a chapter grievance related to workload in the College of Education. Arbitration scheduled for July was postponed due to change in the administration. A memorandum in response to this grievance was issued by WMU's Director of Academic Collective Bargaining and Contract Administration on October 31. Resolution is pending the review and acceptance or rebuttal of this memo.

An individual grievance in the College of Arts and Sciences regarding alleged professional misconduct has been tentatively resolved based on a pending transfer to a different department. The response to the transfer is expected sometime this academic year.

Catering Services: On and Off Campus

Jo Wiley, Vice President

Until recently, 40% of the University's catering employees' work was generated by events held at the Fetzer Center. However, the Fetzer Center no longer uses WMU employees but now contracts event services through the Radisson Plaza Hotel in downtown Kalamazoo.

This out-sourcing of work has put 2.5 catering employee positions in jeopardy. The employees who service catering at WMU are members of AFSCME, the same employee group reduced through the out-sourcing of residence hall maintenance by the Bailey administration.

AAUP Chapter members can show their solidarity with this campus employee group and help save jobs by encouraging student organizations they advise (or other organizations they are affiliated with) to hold meetings and other planned activities at the Bernhard Center instead of at the Fetzer Center.

To help compensate for the loss of work and retain threatened positions, campus catering personnel can now also provide catering services at off-campus events. When making plans for holiday (or any other) celebrations, consider calling WMU Catering (387-4868) for assistance and as a show of support.

WMU-AAUP Upcoming Meetings

Association Council
Thursday, January 24th
4:00pm
Room 157, Bernhard Center

Association Council
Thursday, February 21st
4:00pm
Room 157, Bernhard Center

Association Council
Thursday, March 20th
4:00pm
Room 157, Bernhard Center

Call for Nominations—2008 Negotiation Team

The Executive Committee

The WMU-AAUP calls upon all faculty members to apply for positions on the 2008 Negotiation Team or to nominate their colleagues. The team will consist of a Chief Negotiator, who must be tenured, and several team members. Any bargaining-unit faculty member is eligible.

The Chief Negotiator becomes a full voting member of the Executive Committee upon appointment. Other team members will participate in team planning and consultation with their service beginning with Summer I and continuing in Summer II.

You may obtain detailed information about the official policies related to the team by calling the Chapter office at 345-0151, or by writing to staff@wmuaaup.net. The Chapter staff will be happy to put you in touch with officers or members of the Nomination/Election Committee if you would like to talk with someone about the prospect of serving on the team.

Please let us know about your interest, or your nomination of your colleagues, by November 30, 2007.

New Executive Committee Member Bios

Dr. Bruce Bejcek is the new Executive Committee member for the College of Arts & Sciences—Science & Mathematics.

Bruce Bejcek received his Ph.D. from St. Louis University in 1986 in Cellular and Molecular Biology. He held post-doctoral fellowships at Washington University in St. Louis and the University of Minnesota before joining the Department of Biological Sciences at Western Michigan University in 1996.

His laboratory studies the mechanisms by which cancer cells grow. He has served as a Chair on the Institutional Animal Care and Use Committee and as a member of the Radiation Safety Committee. He currently serves as a member of the Biological Sciences Departmental and College of Arts and Sciences Curriculum Committees as well as the Grade and Program Dismissal Appeals Committee.

Dr. Nancy Mansberger is the new Executive Committee member for the College of Education.

Nancy B. Mansberger, Ed.D, received her doctorate from Western Michigan University in Educational Leadership, with a cognate in Evaluation, Measurement, and Research. Dr. Mansberger is an assistant tenure-track professor in the Department of Teaching, Learning, and Educational Studies, where she advises and teaches graduate courses in research, assessment, and the politics, policies and practices of schooling in the United States.

She has an extensive background in the program evaluation of systemic school reform initiatives and has been active in a number of University grant-funded school reform initiatives through the GEAR UP grant and SAMPI (as a WMU research associate).

Prior to working at WMU, Dr. Mansberger was employed as a choir director for Bangor Public Schools. A “competent” pianist, she continues to be active as a vocal coach and accompanist for area high school students and musical ensembles.

Dr. Paul D. Fleming III is the new Executive Committee member for the College of Engineering.

Paul D. Fleming III, Ph.D. is a Professor in the Department of Paper Engineering, Chemical Engineering and Imaging. He has been at Western since 1996. He received a Bachelor of Science Degree in Physics from Ohio State University and an Applied Masters. in Physics and PhD in Chemical Physics from Harvard University. He worked for 22 years in the petroleum (Phillips Petroleum) and polymer (GenCorp) industries.

His research interests are in Printed Electronics, Surface Chemistry, Coatings, Color Theory and Digital Printing. He has authored over 200 publications and presentations. He is co-director of the Center for Ink and Printability Research at WMU.

WMU-AAUP Holiday Schedule

The WMU-AAUP office will be closed December 20th—January 6th.

Members are able to leave messages by calling the main number and entering the appropriate extension number or by sending email.

Please refer to our website, wmuaaup.net and select the officer page for the extension number or to send an email directly from the website.

Letters to the Editor Policy

In order for a letter to be considered for publication, submissions must adhere to the following:

- Authors of such letters must expressly request publication in the WMU-AAUP *Advocate*.
- Author's names will be published with the letter.
- Authors are required to cite their information accurately. It is not the responsibility of the Editorial Board to check the validity of information.
- Letters should not exceed one page, typewritten, single-spaced. In the event letters exceed the one page maximum, editing is in the control of the Editorial Board.

Letters to the Editor become the property of the Chapter and will not be returned to the author(s).

The publication of such letters is entirely in the control of the Editorial Board.

The publication of a letter is not an endorsement of the Author's statements by the WMU AAUP or the Editorial Board.

The Editorial Board will not publish letters that in its judgment could be slanderous, discriminatory, or libelous remarks against an individual or a group.



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