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Advocate

At Western Michigan University

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Editorial Board

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Performance Reviews: Ongoing Issues and Other Considerations...

Ariel L.H. Anderson
WMU-AAUP President

Promotion and tenure reviews are in full swing, with candidates' dossiers submitted at the departmental level on Monday, October 16th. Such performance reviews are never a simple matter, and those undergoing review often experience great anxiety as their colleagues and administrators prepare to review their accomplishments and pass judgment on these important personnel matters. One's fate seems truly to hinge on others' perceptions of the overall worth of the "record of accomplishments." At Western, as in most institutions of higher learning, there are three traditional criterion areas in which one's performance record are formally assessed: Professional Recognition (scholarship); Professional Competence (teaching); and Professional Service. Increasingly, however, faculty members and administrators are passing judgment on performance in a fourth arena — that of **"collegiality."** This fourth criterion area constitutes a sticky wicket, so much so that the National AAUP's Committee A on Academic Freedom and Tenure developed a position statement on the matter which was published in the September-October 1999 issue of *Academe*, along with an invitation for comment by the readership. This statement is reproduced here (with permission from the National AAUP) for your consideration as you proceed with promotion and tenure performance reviews for the current year.

On Collegiality As a Criterion for Faculty Evaluation

(*ACADEME*, September-October 1999)

In evaluating faculty members for promotion, renewal, tenure, and other purposes, American colleges and universities have customarily examined faculty performance in the three areas of teaching, scholarship, and service, with service sometimes divided further into public service and service to the college or university. While the weight given to each of these three areas varies according to the mission and evolution of the institution, the terms are themselves generally understood to describe key functions performed by faculty members.

In recent years, Committee A has become aware of an increasing tendency on the part not only of administrations and governing boards but also of faculty members in important administrative roles, such as department chairs or members of promotion and tenure committees, to add a fourth criterion in faculty evaluation: "collegiality."¹ For the reasons set forth in this statement, we view this development as highly unfortunate, and we agree that it

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should be discouraged. Few if any responsible faculty members would deny that collegiality, in the sense of collaboration and constructive cooperation, identifies important aspects of a faculty member's overall performance. A faculty member may legitimately be called upon to participate in the development of curricula and standards for the evaluation of teaching, as well as in peer review of the teaching of colleagues. Much research, depending on the nature of the particular discipline, is by its nature collaborative and requires teamwork as well as the ability to engage in independent investigation. And committee service of a more general description, relating to the life of the institution as a whole, is a logical outgrowth of the Association's view that a faculty member is an "officer" of the college or university in which he or she fulfills professional duties.²

Understood in this way, collegiality is not a distinct capacity to be assessed independently of the traditional triumvirate of scholarship, teaching, and service. It is rather a quality whose value is expressed in the successful execution of these three functions. Evaluation in these three areas

A distinct criterion of collegiality also holds the potential of chilling faculty debate and discussion.

will encompass the contributions that the virtue of collegiality may pertinently add to a faculty member's career. The current tendency to isolate collegiality as a distinct dimension of evaluation, however, poses several dangers. Historically, collegiality has not infrequently been associated with ensuring homogeneity, and hence with practices that exclude persons on the basis of their difference from a perceived norm. The invocation of collegiality may also threaten academic freedom. In the heat of important decisions regarding promotion or tenure, as well as other matters involving such traditional areas of faculty responsibility as curriculum or academic hiring, it is natural to confuse collegiality with the expectation that a faculty member display "enthusiasm" or "dedication," or evince "a constructive attitude" that will "foster harmony," or, even worse, display an excessive deference to administrative or faculty decisions where these may require reasoned discussion. Such expectations are flatly contrary to elementary principles of academic freedom, which protect a faculty member's right to dissent from the judgments of colleagues and administrators.

A distinct criterion of collegiality also holds the potential of chilling faculty debate and discussion. Critique and opposition do not necessarily conflict with collegiality. Gadflies, critics of institutional practices or collegial norms, even the occasional malcontent, have all been known to play an invaluable and constructive role in the life of academic departments and institutions. They have sometimes proved collegial in the deepest and truest sense. Certainly a college or university replete with genial Babbitts is not the place to

Relatively little is to be gained by establishing collegiality as a distinct criterion of assessment.

which society is likely to look for leadership. It is sometimes exceedingly difficult to distinguish the constructive engagement that characterizes true collegiality from an obstructiveness or truculence that inhibits collegiality. Yet the failure to do so may invite the suppression of dissent. The very real potential for a distinct criterion of collegiality to cast a pall of stale uniformity places it in direct tension with the value of faculty diversity in all its contemporary manifestations.

Relatively little is to be gained by establishing collegiality as a distinct criterion of assessment. A fundamental absence of collegiality will no doubt manifest itself in the dimensions of scholarship, teaching, or, most probably, service, though here we would add that we all know colleagues whose distinctive contribution to their institution or their profession may not lie in service so much as teaching and research. Professional misconduct or malfeasance should constitute an independently relevant matter for faculty evaluation. So too should efforts significantly to obstruct the ability of colleagues to carry out their normal functions, persistently to engage in personal attacks, or to violate ethical standards. The elevation of

collegiality into a separate and discrete standard is not only inconsistent with the long-term vigor and health of academic institutions and dangerous to academic freedom, it is also unnecessary.

Committee A accordingly believes that the separate category of collegiality should not be added to the traditional three areas of faculty performance. Institutions of higher education should instead focus on scrupulous and rigorous definitions of scholarship, teaching, and service. The virtues of collegiality will be reflected in these definitions. Certainly an absence of collegiality ought never, by itself, constitute a basis for nonrenewal, denial of tenure, or dismissal for cause.

¹At some institutions, the term “collegiality” or “citizenship” exists in regulations or understood institutional practice as a synonym for “service.” Our objection is to the use of the term “collegiality” in its description of a separate and additional area of performance in which the faculty member is to be evaluated.

²The *locus classicus* for this term is the *1940 Statement of Principles on Academic Freedom and Tenure*. “College and university teachers are citizens, members of a learned profession, and officers of an educational institution.”

At Western, our collective bargaining *Agreement* specifies the traditional three criterion areas as those to be assessed in promotion and tenure performance reviews. Collegiality, as a distinct and separate criterion area, is *not* formally specified as an evaluation category. As explained in the National AAUP statement on collegiality, certain important aspects of collegiality can, and perhaps should, be assessed within

the context of the three accepted criterion arenas: Professional Recognition; Professional Competence; and Professional Service. This form of focus on collegiality seems appropriate and defensible. However, taken as a distinct and separate (fourth) evaluation criterion, a focus on collegiality devoid of context in one of the three aforementioned categories seems inappropriate, potentially unfair, and certainly may result in a chilling effect on one’s professional expression known as academic freedom. *Thus, the National*

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AAUP and Western’s AAUP Chapter caution severely against the use of collegiality as a distinct evaluation criterion area in promotion and tenure performance reviews.

The Chapter leadership has been most pleased with **Provost Dobney’s recent stance taken on the matter of third- and fifth-year tenure reviews**. Dr. Dobney has indicated that it is his belief such reviews should be conducted only “in house” (within the department and/or college) as informal, mentoring opportunities to provide feedback on a candidate’s progress in-between the regularly-scheduled second-, fourth-, and sixth-year performance reviews. Thus, Provost Dobney has instructed the deans and chairs that such reviews are not to “cross the street” to his office. The Chapter applauds this call on Dr. Dobney’s part. Consider, for example, that one completes a regularly-scheduled perfor-

mance review and receives an edict for a “targeted” (e.g., publish two more refereed articles) performance review in the “off” year. Notice of such typically reaches the candidate in June, with materials due for a subsequent review in October. This hardly gives the individual faculty member time to accomplish the tasks specified in the prior review! It seems the faculty member’s time and efforts would be much better spent preparing for an on-time review, with a reasonable time frame for accomplishing the work that needs to be done. If you were targeted for an additional performance review this year (i.e., a third- or fifth-year review), please be aware that Provost Dobney has taken the stand that such reviews shall *not* come to his office. He has given chairs/deans autonomy with regard to determining whether or not an “informal, mentoring” review shall take place within the department/college. If you were scheduled for an “extra” performance review this year, please consult with your chair and/or dean to see if the review is still being called for at the local level. (Some departments routinely conduct such in-between reviews within the college — if this is standard practice within your area, you will need to comply, but you should be aware that the outcome of such reviews will remain “in house.”) The Chapter has asked the provost’s office to issue a letter to those faculty members who were required by former Provost Light to undergo a third- or fifth-year review, indicating that they have been released from the requirement for a formal review at this time. The leadership certainly considers this *good news!*

Questions have arisen regarding **voting procedures on promotion and/or tenure cases**. Specifically, the Chapter has been asked to clarify whether or not faculty colleagues must “sign” their votes, or whether such voting may be anonymous. The Chapter leadership takes the position that faculty members are *not* required to identify themselves in the voting

process. Faculty review committees render *recommendations* on personnel matters that are forwarded to the administration for their consideration in decision-making. Faculty do *not* have decision-making authority. Thus, “privacy at the polls,” so to speak, is deemed appropriate. Be aware, however, that department policy statements *may* call for identification in the voting process. If the in-house “family” has determined, by development of approved departmental policies, that faculty members shall sign their votes

The candidate under review is, by contract, guaranteed the right to an appeal at each and every level of the performance review process.

(in whatever form that may take place), then faculty must comply with the departmental policies. However, the Chapter leadership recommends against such a policy, in that it may significantly inhibit faculty colleagues from freely expressing their opinions. The candidate under review is, by contract, guaranteed the right to an appeal at each and every level of the performance review process. This seems to be the appropriate venue for the candidate under review to make his/her case regarding any disputation of the faculty committee’s recommendation. While some may object to the leadership’s position on this matter, consider that privacy at the polls is considered an American “right” of sorts — certainly, when we go to the polls next month we have the expectation of

privacy. In the matter of academic performance reviews, however, we also carry the obligation, as a committee (rather than as individual faculty members) to be forthcoming with an explanation of our thinking in passing judgment on a colleague under review. The appeal is the appropriate venue for such discussion, and faculty review committees should be certain that they have an excellent means of backing up their recommendations, as well as bearing open minds with regard to listening to, and carefully considering, a faculty member’s appeal to the committee.

On another matter, concern has been raised recently about **faculty participation in student research**. At the crux of the matter resides the issue of gaining approval from the HSIRB for any research that involves human subjects in any way, shape, or form whatsoever. Please be aware that formal HSIRB approval is required (even if the project is considered “exempt”) *in advance* of any data collection or *any* implementation of the investigative process. Approval is required even for gathering observational data — which may raise concerns among faculty regarding observational assignments associated with the classes they teach! Failure to go through the HSIRB to gain approval could result in very serious consequences for those involved in the research effort, and this includes faculty mentors for student research projects. Please be absolutely certain that any human subjects research you are associated with has the *prior* approval of the HSIRB before you commence. Consequences for infractions may lead to discipline for the faculty member, loss of data, loss of funding, and serious sanctions against the university by the federal government. If you have any questions at all regarding investigative procedures involving human subjects, please contact Vice President Don Thompson’s office and/or the WMU-HSIRB.

HSIRB approval is required in advance of any data collection or any implementation of the investigative process.

I would like to close this month with recognition of some of the “small things” the administration has done that actually have rather far-reaching effects in terms of faculty morale and the improvement of faculty-administrative relations. **Thank you, Dr. Floyd**, for providing some 80 additional parking spaces available to faculty at no charge within the Miller parking structure! This has significantly freed up parking in that congested area. We imagine that gratitude will increase as the snow flies! Thank you as well for your responsiveness to faculty requests that recognition gifts be improved in quality. Recent recipients of service pins have noted that the pins are much finer than in the past. Small though this item may seem, it appears to mean a great deal to recipients of these service tokens. The Chapter leadership encourages the administration’s continued attention to “details” that serve to make the difference in terms of whether Western is viewed as “home away from home,” or merely a place to teach with one’s coat on. The campus climate continues to be on an upward swing — let’s keep up the positive momentum we have gained! #

From Your Grievance Officer...

Elaine L. Phillips

GRIEVANCE UPDATE

The WMU administration and the AAUP leadership continue to work cooperatively and proactively to resolve problems. We meet on a regular basis to ensure that concerns are dealt with promptly. The result has been a marked decrease in the number of formal grievances that have been filed. This process tends to be a mutually respectful one, with the goals being to problem solve, and, as much as possible, to reach agreements that are acceptable to all concerned. When this is not possible, we move to the contractually agreed upon grievance procedure.

We are currently addressing issues involving contractual and legal interpretations of the Family Medical Leave Act (FMLA). We have also reopened discussions regarding dates when the International Pilot Training (IPT) employees in the College of Aviation will join the bargaining unit. At this point, it appears that we have agreed that those IPT employees who wish to join the WMU-AAUP at this time, may join. Those who wish to wait until July of next year will be brought in at that time.

FACULTY QUESTIONS

I just returned from sabbatical leave. Is there a form I need to fill out to describe my accomplishments?

There is no form to complete upon return from sabbatical leave. The contract requires that we write a report describing our sabbatical leave activities and accomplishments.

Copies of this report should be sent to: the department chair; the dean; the chair of the University Sabbatical Leave Committee; and the provost. Please note that under the current Agreement, we are required to continue our employment with Western for two academic years after a sabbatical leave.

Am I allowed to teach in Spring and/or Summer session(s) before and after my sabbatical leave?

Faculty who take a two-semester sabbatical are eligible for Spring and/or Summer teaching both before and after

The contract requires that we write a report describing our sabbatical leave activities and accomplishments.

the sabbatical. Those who take a one-semester Fall sabbatical are not eligible to teach in the Spring/Summer sessions that precede the Fall sabbatical. Those who take a one-semester sabbatical in the Winter semester are not eligible to teach in the Spring/Summer sessions that follow the Winter sabbatical.

Should chairs be members of, or sit in on, faculty committees within the department?

There is nothing in the contract that specifically prohibits faculty from allowing chairs to be members of faculty committees or to sit in on faculty deliberations. However, the

Union's position is that this is a questionable practice. If the chair is present, faculty who are most vulnerable may feel the need to argue for a position that is pleasing to the chair out fear of displeasing those with administrative authority. Additionally, having the chair present during faculty committee debates gives the administration "two bites of the apple." The administration, when present, may try to influence the process and the faculty's recommendation. The only rights the faculty have in governance are those of debating the issues at hand and making recommendations to the administration. The administration (chair, dean, provost) has the right to make final decisions.

WORKLOAD REVISITED

In the Winter semester of 1999 we were contacted by faculty in the College of Arts and Sciences who expressed concerns about a mathematical model that had been introduced in the college, purportedly to increase faculty credit hour production. The concerns voiced by faculty about this mathematical model included: flaws in the data on which the model was based; the model might unduly punish departments that have masters or doctoral programs which typically offer several classes in a small seminar format; the system may make unmanageable demands on some faculty; and the system might be manipulated to punish faculty whom the administration dislike. We met with administration regarding these concerns. Specifically, we pointed out that there are computation errors in the model; there is no measure in the model of research grants, no measure of publications, no measure of time in committee work. Our concern is that the need for Western to hire more faculty is being translated into a need for the current faculty to teach more students, either by increasing class sizes or by teaching more classes.

The administration told us that the model was constructed as the result of

We need to hear from faculty members in the College of Arts and Sciences regarding the proposed model.

a State of Michigan audit. The model was developed to try to preserve as much flexibility on the part of departments as possible, while addressing the State concern about the number or percent of course sections taught by full-time faculty. We were told that the model is a proposed guideline to be used on a trial basis for one year. We were also told that "this is not a University-wide move."

We requested a copy of the audit, but were told it was not available, as the final report was not completed. This fall semester, we again requested the audit report. We have received it and have begun a review of the State findings and recommendations. *At this point, we need to hear from faculty members in the College of Arts and Sciences regarding how the proposed model is being implemented (or if it is being implemented) in various departments within the College.*

UNION COMMUNITY NEWS

WMU-AFSCME — Contract negotiations resulted in an increase in the number of AFSCME positions at WMU, increased benefits, and an across-the-board salary increase of 3.25% for 2000-2001 and 2001-2002. The contract was ratified by the AFSCME membership 2 to 1 in a vote held in early September.

Congratulations to the AFSCME employee group!

KVCC-AAUP — The faculty at KVCC recently engaged in three days of informational picketing. The issues at hand involve 16 employees who were accreted into the KVCC-AAUP in May of 1999, by ruling of the Michigan Employment Relations Commission. These 16 employees voted unanimously to join the KVCC-AAUP. Negotiations then began on how to bring them into the KVCC-AAUP bargaining unit. Our understanding is that the KVCC administration would allow no changes in the wages, hours, or working conditions of these employees upon their joining the AAUP. The KVCC-AAUP wants improvements for these employees that make their working conditions, hours, and wages comparable to their colleagues in the bargaining unit. Talks have been stalled for six months. Informational picketing occurred as an attempt to move the discussions forward. It appears that state mediation and fact finding are now being pursued. The WMU-AAUP lent our support to the KVCC-AAUP through discussions with their leadership and participation in the informational picketing. #

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From the Desk of Your Contract Administrator...

Gary Mathews

COMPLAINTS ABOUT THE ZEST FOR LIFE PROGRAM

Many of our members are very pleased with the benefits of the Zest for Life Program and the opportunity for a limited membership in the newly renovated West Hills Athletic Club. On the other hand, complaints about the program do continue to be lodged intermittently.

One complaint is that conditions have changed from last year to this year, even though we are operating under the same contract (1999-2002). Some members report that they were able to participate in Zest for Life classes at West Hills Athletic Club last year without incurring a tax liability. This is true. The Zest for Life membership was free last year. The IRS objected, and required a change before January 1, 2001. Therefore, a tax liability was charged starting this fall semester. Maybe the administration was being lenient with memberships last year to provide a transition.

Others complain that they were able to access free weights and Nautilus equipment without a tax liability prior to this contract period. They quote the current Agreement, which states that "Western agrees that it will, for the life of this Agreement, provide a wellness and fitness program that is substantially equivalent to the program that existed as of April 1, 1993" (p.104). How, they ask, is it substantially equivalent when we did not previously have to incur a

tax liability, and now we do? And another thing! Why do we have to incur a tax liability to use a facility owned by Western?

Another complaint is that if you buy a WMU Zest for Life Membership at West Hills, you can only go from 11am-2pm or 4:30pm-6:30pm, and this may not provide enough time to participate in some of the classes that begin at 5:30, and then shower and change. To take full advantage of the Zest for Life offerings, you need to be really organized. You would have some kind of membership at West Hills (tax liability

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of either \$40 to \$60, or \$55 to \$80, depending on the type of membership chosen), and a membership at the Student Recreation Center (tax liability of between \$60 and \$90). You would need to carry two membership cards at all times. If you happen to prefer some Zest for Life program offerings, such as swimming or aqua fitness at Gable Natatorium in Lawson Ice Arena, or the aerobics Hatha Yoga class, or at the Student Recreation Center (SRC), you pay nothing. If you do low impact aerobics at Dalton Dance Studio C, you don't pay. But, if you use the exercise equipment at the SRC, you need a membership.

...extra challenges faced by our colleagues from other lands.

It would be nice if somehow all of this could be simplified. I know! I'll just take a walk.

HATS OFF TO INTERNATIONAL FACULTY MEMBERS

I have recently returned from a short trip to India. Being there and experiencing the culture, the climate and the food was a wonderful experience. One side benefit to the trip was that it heightened my awareness of the extra challenges faced by our colleagues from other lands. In addition to all of the pressures and challenges of making a career of the academy, our international colleagues must also speak and write in a language that is foreign to them. They must adjust to a new culture. They must adapt to a new diet or find sometimes obscure, expensive, and/or distant outlets for their own food tastes. They must adjust to a new climate and a new way of driving. They must find ways to maintain their identity and something of their original culture. They must, for some time at least, confront visa concerns and residency concerns. They must know their tax liabilities. Food for thought. #

What A Deal!

The Chapter is pleased to, once again, offer a Retirement Planning Seminar, presented by Dr. A.D. Issa, Department of Finance and Commercial Law. Participation in this seminar offers you the opportunity to:

1. Put your financial house in order;
2. Assess your financial well-being and plan for your future;
3. Visit the TIAA-CREF village with about two million residents, of whom 33,000 plus are millionaires;
4. Design a *LONG-TERM GLOBAL INVESTMENT STRATEGY* compatible with your financial goals, time horizon, and risk tolerance;
5. Learn when to *ROLL*, when to *ROTH*, when to *JUMP SHIP*, when to *PAY OFF* your mortgage, when to *COLLECT* your Social Security, and when to *GIVE YOUR MONEY AWAY!*
6. Maximize your wealth by *AVOIDING full-service brokers, load funds, high turnover funds, high expense funds, and tax-inefficient funds;*
7. Consider the purchase of *LONG-TERM CARE INSURANCE* to defend against the ever-spiraling cost of long-term health care;

Sign up now for the Winter Retirement Seminar.

8. SHELTER your assets, DISINHERIT the IRS, and make sure your heirs get up to 100% of your financial legacy;

9. Learn how best to CONSOLIDATE, STREAMLINE, and INTEGRATE all aspects of your financial affairs; and

10. Learn how to TAKE YOUR MONEY OUT to fund your "Golden Years!"

The Winter 2001 Retirement Seminar begins on Thursday, January 11th at 7:00pm, and continues for eight weeks. The Retirement Seminar is offered to you at no cost. Feel free to call the AAUP Office (345-0151) and ask to have your name added to the Retirement Seminar list. Because seating is limited, participation in the Seminar will be on a First Come — First Served basis. #

Visit the
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AAUP Officers' Hours

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| Wed | 2:00 – 3:00 pm |
| Fri | 1:00 – 2:00 pm |

Gary Mathews

Contract Administrator

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| Tues | 1:00 – 3:00 pm |
| Wed | 10:00 – 12:00 noon |

Elaine Phillips

Grievance Officer

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| Mon | 1:30 – 3:30 pm |
| Wed | 10:00 – 12:00 noon |



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