

TERMS and CONDITIONS

Newsletter of the SCFA/AAUP

Fall/Winter 2003-04

As the legally recognized bargaining agent for Senate faculty at UCSC, the Santa Cruz Faculty Association has the authority under the Higher Education Employer-Employee Relations Act to meet and confer with the administration over terms and conditions of employment "which have customarily been determined on a division basis," and to consult with the UC Office of the President over systemwide terms and conditions of employment.

Family and Work Issues a High Priority for the SCFA

A little more than a year ago our Membership Committee--then made up almost entirely of Assistant Professors--recommended that the SCFA/AAUP take up the issue of child care.

The University of California's leave policies relating to family and work issues, as well as the opportunity afforded junior faculty to "stop the tenure clock" are generally consistent with the highest standards and policy recommendations put forward by the AAUP in recent years. That said, there is always room for improvement.

Towards that end, the SCFA intends to examine current policies, and their implementation, at UC Santa Cruz. Despite our progressive leave provisions, many faculty could, for example, doubtlessly benefit from greater access to quality child care. Given the SCFA's mandate to consult with the UC over systemwide employment issues while bargaining over local ones, we are well positioned to press the institution to do better on this front. Before acting on these issues, we want to hear from you.

The focus for our upcoming winter meeting (Thursday, February 26th, 3:30-5:00 pm) will be the impact that family responsibilities have on faculty at UCSC. A recent study by Mary Ann Mason (Dean of the Graduate School at UC Berkeley and a former president of the Council of UC Faculty Associations) reveals that "babies do matter" to aca-

ademic careers. What's more, they matter in gender-specific ways. However, we do not have a clear sense of how things are playing out on our campus. Are eligible faculty members taking advantage of the right to slow their pursuit of tenure? Do tenure-track, female faculty members feel pressured to delay having children until after the successful completion of their tenure review? What impact might access to more, cheaper, and/or better, childcare resources have on individual faculty member's career decisions and productivity?

We encourage our colleagues to share their thoughts and experiences with us. We are easily reached by email, scfa@aaup.org, but we hope that many faculty members will attend the meeting on February 26th and help us to articulate our collective aspirations and objectives for progressive employment practices at UCSC.

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Where to Find More Information

The Academic Personnel Manual details the rights and responsibilities of academic employees in the UC system. The APM is available online in pdf format.

www.ucop.edu/acadadv/acadpers/apm

Leaves of Absence, including special provisions for Active Service-Modified Duties, are described in Section V (APM-700 to APM-760).

The procedures and conditions for stopping the tenure clock can be found in APM 133.17.h.

The UC Office of the President maintains a website on "Family Friendly Policies for Faculty and Other Academic Appointees."

www.ucop.edu/acadadv/family/related-web-sites.html

There is also a campus-specific website on "Family Friendly Policies" at UCSC.

www2.ucsc.edu/hr/worklife/family.html

The AAUP has new online resources devoted to the challenges of "Balancing Family and Academic Work."

www.aaup.org/Issues/FamilyWork/index.htm

Academic Freedom: The Latest Challenge

Adapted from "On Academic Freedom," remarks made by AAUP Associate Secretary, Marcus Harvey, at Irvine Valley College, November 13, 2003.

Academic Freedom and Political "Balance"

More pernicious than direct attempts to curb faculty speech is a subtler initiative intended to transform the meaning of academic freedom, itself. Once denoting the faculty's authority to determine the content and methods of their professional work, "academic freedom" is in the process of being re-invented to connote the "right" of students to be taught by a politically "balanced" faculty.

The AAUP has long recognized that academic freedom has "two applications. . . the freedom of the teacher and . . . that of the student, *Lehrfreiheit* and *Lernfreiheit*."

However, *Lernfreiheit* does not imply a right to any particular content, but rather the right of the student to freely express his/her interpretation of that content. Some have suggested that grades amount to a coercive mechanism, a tool to compel ideological conformity. This view is facile. Grades are a measure of the student's mastery of the materials presented, not a litmus test for belief. It is, for example, perfectly appropriate for a biology instructor to insist that students demonstrate a mastery of the theory of evolution, but inappropriate—and, in fact, quite impossible—for that same instructor to insist that they "believe" in this theory.

Spurred by the efforts of David Horowitz, there is a movement afoot to conflate the ideological predisposition of faculty members with the substance of their students' educational experience. It is a movement that has built momentum in several states, as well as in Washington, DC. Based on thin

and selective data, Horowitz has announced a clear and present "liberal" bias amongst faculty in the humanities and social sciences. This bias, he suggests, is a result of "blacklisting" and the deliberate exclusion of conservatives from academic departments.

Although not advocating any specific measures for redressing this perceived imbalance, Horowitz's highly public findings call into question, if not disrepute, the mechanism of peer review. Moreover, his campaign for an "Academic Bills of Rights" aims at the further erosion of faculty authority and increased legislative intrusion into university affairs.

The core problem with Horowitz's study is not simply—as some have already demonstrated¹—the paucity or selectivity of its data, but rather the equation of the terms "right" and "left," "conservative" and "liberal," with the two-party politics of the American state. Additionally, Horowitz fails to draw the obvious conclusion from his data. Where strong unanimity of opinion exists on particular issues amongst social science and humanities faculties—that is, amongst those members of our society who have dedicated their lives to the study of human interactions and behavior—such unanimity might be evidence of

AAUP Responds to the "Academic Bill of Rights"

Committee A on Academic Freedom and Tenure has issued a new statement on the "Academic Bill of Rights." This statement is available online at <www.aaup.org> or by request from the AAUP's West Coast office (800-431-3348).

valid bias. Put another way, the conclusions reached by a majority of specialists may reflect their knowledge and understanding, rather than an ideological predisposition.

Scholarship requires an open mind, but this does not mean that faculty members are unprofessional if they reach definite conclusions. It means rather that faculty must always stand ready to revise their conclusions in light of new evidence or further discussion. Scholarship also requires the exercise of disinterested reason, but this does not mean that faculty are unprofessional if they are urgently committed to a definite point of view. It means rather that faculty must form their point of view by applying professional standards of inquiry rather than succumbing to external and illegitimate incentives such as monetary gain or political coercion.

From Robert Post, "Academic Freedom and the Intifada Curriculum," *Academe* (May-June 2003), 19.

Regardless of its specific deficiencies, Horowitz's argument fits nicely with the modern tendency to view the world in terms of binary opposites and to mistake the juxtaposition of competing views for substantive debate. Whether a show on NPR or on network TV, intellectual discourse is presented as if every argument has two sides and each side is equally valid. The reality, of course, is that any complex issue is susceptible to multiple analyses, and so calls for faculty members to teach "both sides of the story," or to "give equal time to the other side," are quite literally meaningless.

Academic freedom—as Robert Post explained in a recent issue of *Academe*--entails no obligation on the part of individual faculty members to avoid taking stances on controversial matters.

¹ For a critique of Horowitz's findings, see: Howard Fienberg, "Looking for Liberals in the Ivy League," *Common Dreams* (March 7, 2002), <www.commondreams.org/views02/0307-10.htm>; Scott Smallwood, "Survey of Ivy League Professors Finds Few Conservatives," *Chronicle of Higher Education* (February 1, 2002), p. A10.

Washington

Mark F. Smith
Director of Government Relations
American Association of University Professors

Higher Education Concerns in Congress December 2003 Report

2003 has been a challenging year for higher education at the federal level. Budget problems are constricting funds for student aid and research programs, and the directions that Congress has taken on the reauthorization of the Higher Education Act (HEA) have been discouraging. First passed in 1965 and reauthorized every six years thereafter, the HEA is the main piece of federal legislation governing federal higher education programs. Although Congress will not take the final key votes on reauthorizing the HEA until next year, disturbing de-

velopments have already emerged. The AAUP's position on the reauthorization of the HEA stresses four major themes: increasing *access* to higher education; protecting the *quality* of academic programs; promoting *diversity* in higher education systems; and maintaining support for *openness* in the academic community.

In contrast, the Administration and its congressional supporters (House Education and the Workforce Committee chair, John Boehner of Ohio, among them) stress "four guiding tenets--accessibility, accountability, affordability and quality." Two of these "guiding tenets" echo our own themes. However, the AAUP places "access" and "quality" at the forefront of our program, while Representative Boehner claims that "accountability is the hub of the higher education wheel." He goes on to identify "accessibility, affordability and quality" as "the spokes that keep the wheel in motion."

This stress on accountability is consistent with the managerial orientation of this Administration. White House publicists once touted the fact that George W. Bush is the first president with a M.B.A. Then came Enron. Such claims may now be muted, but the corporate outlook continues to drive legislative goals. Two specific developments concerning the HEA raise serious concerns about access and openness.

Access: The AAUP views the problem of access as a reflection of the lack of resources available to certain students. Rather than address this problem, some members of Congress have chosen to promote national price controls on tuition, a move that--in the absence of additional funding--would exacerbate the financial problems facing colleges and universities. Rep-

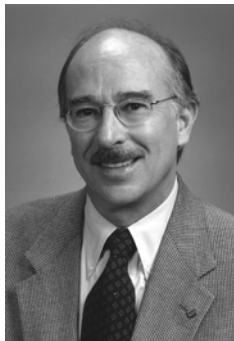
resentative Howard McKeon of California, chair of the House subcommittee on 21st Century Competitiveness, has spent much of the past year proposing a "College Affordability Index." On October 16, he introduced H.R. 3311, to amend the HEA and address the rising cost of post-secondary education. McKeon's bill would create a "College Affordability Index," along with a complicated enforcement mechanism, and would eventually deny institutions eligibility for federal aid programs if their tuition increased by more than twice the Consumer Price Index over a two-year period. Critics immediately charged that almost a quarter of all institutions currently receiving such aid would be ineligible if the bill were in effect. AAUP opposed this proposal when Representative McKeon first raised it last spring, and, on November 25, 2003, wrote a formal letter to the Committee on Education and the Workforce urging the bill's defeat.

Low-income students are being priced out of academia because of inadequate funding. Federal student aid programs are not keeping pace with inflation and state support for higher education; consequently, a greater proportion of the cost of education is being pushed on to students and their families. Increasing regulatory and centralized accountability measures for academic institutions would only divert scarce educational resources into non-instructional functions.

With over 40 states facing significant budget shortfalls--many in the crisis stage--states are also cutting higher education budgets, exacerbating the pressures on tuition. California adopted tuition increases in the 30% range as part of the temporary solution that cut a \$38 bil-

AAUP Appoints Roger Bowen New General Secretary

Roger W. Bowen will succeed Mary Burgan as the AAUP's general secretary, effective July 1, 2004. Bowen's appointment concludes a nationwide search chaired by Larry Gerber, a professor of history at Auburn University. Bowen has wide experience as both an administrator and faculty member. For his defense of academic freedom



while president of the State University of New York at New Paltz (1996-2001), Bowen received the AAUP's Alexander Meiklejohn Award in 1998.

Bowen has a B.A. from Wabash College, an M.A. from the University of Michigan, and his Ph.D. in political science from the University of British Columbia. His book-length publications include *Rebellion and Democracy in Meiji Japan* (1980) and *Japan's Dysfunctional Democracy* (2003). Prior to serving as president of SUNY New Paltz, Bowen was a professor at Colby College (1978-91) and then a vice president for academic affairs at Hollins College (1992-96). Since 1981, Bowen has been an associate in research at the Reischauer Institute of Japanese Studies at Harvard University.

Sacramento

Charles P. Nash, VP-External Relations
Myrna Hays, Lobbying Coordinator
Council of UC Faculty Associations

Government Relations and UCOP December 2003 Report

The 2003 Legislative Session was a frustrating one. Legislators were almost hypnotically fixed on budget issues, while realizing that, as a practical matter, decisions would be made at the eleventh hour by a very small number of players. Consequently, there were very few hearings worth attending and even fewer bills worth following.

On the latter score we tracked seventeen bills, of which only six related directly to UC. Four of these died between February and April of 2003. A fifth, A.B. 491 (Diaz), followed an interesting course (see below), but at the last moment its author asked that it be moved to the Assembly inactive file, from which it presumably could be resurrected at some later time by the same method.

As it was introduced in February, A.B. 491 was aimed at instructional technology projects and at preventing contract fiascos in the CSU system. In that form it passed easily (57:5) out of the Assembly and went on to the Senate, where, on September 4th in the Higher Education Committee, UC was added to the bill. In the amended version that passed the full Senate by a vote of 25:9 on September 10th, UC and CSU would have been required to have all IT projects or contracts exceeding \$3 million overseen by an auditor provided by the Department of Finance. Systemwide projects exceeding \$20 million would require approval from the Governor, would have to be included in the Governor's budget, and would be

reviewed annually. The bill then returned to the Assembly for concurrence with the Senate amendments, but instead, on September 12th, Assemblymember Diaz asked that A.B. 491 be placed in the inactive file.

Only one of the bills we followed, A.B. 1230 (Hancock), passed the legislature and was chaptered. The bill establishes what is called a "card-check" recognition procedure for exclusive employee representational (collective bargaining) recognition at UC and CSU, in lieu of a secret ballot election. If an employer challenges the legitimacy of a union's claim of majority support within a bargaining unit, a neutral third party may certify proof of majority support using information supplied through a signed petition, authorization cards, or union membership cards. If another organization claims at least 30% support, the third party will then conduct a secret ballot election to determine majority support of the employees. UC opposed this bill, arguing that it would deny employees the opportunity to make a decision in the voting booth free from outside influences, and to have "no representation" as one of the options on the ballot.

Only one other bill deserves to be mentioned here. A.B. 665 (Liu) is a two-year bill which, if passed in a form similar to its present one, will profoundly affect higher education policymaking. It would combine the California Postsecondary Education Commission (CPEC) and the California Student Aid Commission into a new entity, the California Postsecondary Education Policy and Finance Commission. By statute, the new commission would be the principal fiscal and program adviser to the Governor and the Legislature on postsecondary educational policy.

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(Our website is being revised. It should be back online by February 10.)

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On November 3rd, we had our now-customary annual meeting with Assistant Vice President—Academic Advancement, Ellen Switkes, and Vice President—Budget, Larry Hershman. From Dr. Switkes we heard that there REALLY ARE NO VERIPs in the works, *but* some campuses are beginning to implement "negotiated recall" agreements with eligible faculty members. She said that UC recently lowered its "normal age of retirement" from 70 to 60. Apparently there is no downside to doing that, and it opens a door that previously was, for all practical purposes, closed. She had nothing to give us in writing on the subject, but we surmise that what may be occurring is a creative application of Regents' Standing Order 103.6. (Online at: www.universityofcalifornia.edu/regents/bylaws/so1036.html)

On Academic Work and Families

The AAUP's "Statement of Principles on Family Responsibilities and Academic Work" was approved in May 2001 by the Association's Committee on the Status of Women in the Academic Profession and its Subcommittee on Academic Work and Family. In June 2001, Committee A on Academic Freedom and Tenure endorsed the substance of this statement. The committee noted that the statement is a departure from the 1940 Statement of Principles on Academic Freedom and Tenure, but one that provides an important relief for probationary faculty in their child-rearing years. In November 2001, Council adopted this statement as AAUP policy. The following has been excerpted from the statement. The full text is available at www.aaup.org/statements/REPORTS/re01fam.htm, or by request from the AAUP's West Coast office (800-431-3348).

... Transforming the academic workplace into one that supports family life requires substantial changes in policy and, more significantly, changes in academic culture. These changes require a thorough commitment from the leaders of educational institutions as well as from the faculty. No template of policies fits every institution, but it is essential that the priorities, workloads, rewards structure, and values of the academy permit and support an integration of family and work. Without such support, the commitment to gender equity, for both women and men, will be seriously compromised.

Because of the unique characteristics of academic life, particularly the flexibility of schedules, tremendous potential exists for achieving a healthy work-family integration. At the same time, academic culture poses a special challenge. The lack of a clear boundary in academic lives between work and family has, at least historically, meant that work has been all pervasive, often to the detriment of family. . . .

As educational institutions seek to support faculty members in integrating work responsibilities and family life, they should recognize that families are varied and that they change in structure and needs over time. Therefore, institutions should adopt policies that contemplate, for example, the existence of blended families created by divorce and remarriage, and policies that include domestic partners, adopted and foster children, and other household members who live in a family group. Administrators and faculty members should be alert to the many forms that discrimination may take against those with a variety of family responsibilities throughout their careers. . . .

Many institutions of higher education have responded to the need for faculty to take care of newborn or newly adopted children by creating modified duty policies to allow faculty to obtain relief from some teaching or service obligations while remaining in active-service status. Active-service status allows faculty members to continue research or other obligations and receive full pay. For example, the University of California system's "active service-modified duties" policy allows faculty partial or full relief from teaching for one quarter (or semester) if the faculty member has "substantial responsibility" for care of a newborn or newly adopted

child under the age of five. This period of modified duties is not considered a leave, and the faculty member receives full pay. Other universities allow faculty to reduce semester- or year-long teaching loads for child-care purposes with proportional reductions in pay. . . .

The Tenure Clock

The resolution of pretenure family-work conflicts is critical to ensuring that academic opportunities are truly equitable. Such conflicts often occur just when the research and publication demands of the tenure process are most onerous, and when many faculty members have responsibilities for infants and young children. Institutions should adopt policies that do not create conflicts between having children and establishing an optimal research record on the basis of which the tenure decision is to be made.

Tenure remains a fundamental requirement for protecting academic freedom. The administration and the faculty of an institution must determine the specific academic standards governing the tenure decision at their institution. Academic standards, however, can and, in this instance, should be distinguished from the amount of time in which an institution's academic standards can be met. Specifically, institutions should allow flexibility in the time period for achieving tenure to enable faculty members to care for newborn or newly adopted children.

A probationary period of seven or fewer years allows faculty members to establish their record for tenure. Historically, this probationary period was based on the assumption that the scholar was male and that his work would not be interrupted by domestic responsibilities, such

Are Faculty Working Harder?

Yes. Based on data from the U.S. Department of Education's *Digest of Education Statistics*, the total student/full-time faculty ratio in 1969/70 was approximately 21.7:1. Over the next thirty years, that ratio crept upwards to over 25:1.

as raising children. When the tenure system was created, the male model was presumed to be universal. It was assumed that untenured faculty—whether men or women—were not the sole, primary, or even coequal caretakers of newborn or newly adopted children. An inflexible time factor should not be used to preclude women or men who choose to care for children from pursuing tenure within a reasonable period of years. One study found that 80 percent of “leadership campuses” enable faculty members to exclude a certain amount of probationary time for specific reasons, such as the birth or adoption of a child.

The 1974 AAUP statement Leaves of Absence for Child-Bearing, Child-Rearing, and Family Emergencies provided for “stopping the tenure clock” for purposes of child bearing or rearing when a professor takes a full or partial leave of absence, paid or unpaid. The AAUP now recommends that, upon request, a faculty member be entitled to stop the clock or extend the probationary period, with or without taking a full or partial leave of absence, if the faculty member (whether male or female) is a primary or coequal caregiver of newborn or newly adopted children. Thus, faculty members would be entitled to stop the tenure clock while continuing to perform faculty duties at full salary. The AAUP recommends that institutions allow the tenure clock to be stopped for up to one year for each child, and further recommends that faculty be allowed to stop the clock only twice, resulting in no more than two one-year extensions of the probationary period. These extensions would be available whether or not the faculty member was on leave.

In extending the probationary period in recognition of the time required for faculty members to care for newborn or newly adopted children, institutional policies should clearly provide that the tenure candidate be reviewed under the same academic standards as a candidate who has not extended the probationary period. Institutions should guard against imposing greater demands on a faculty tenure candidate as a consequence of his or her having extended the absolute time from the year of appointment to the year of tenure review. To ensure that any modification of the probationary time limits does not create or perpetuate historic gender discrimination, administrations should monitor tenure decisions to ensure that different standards are not imposed in practice through the application of policies that appear neutral. Institutions should also take care to see that faculty members are not penalized in any way for requesting and receiving extensions of the probationary period.

When a faculty member requests and receives an extension of the probationary period, the appropriate university official should clearly inform the faculty member, in writing, that existing academic standards will govern the future tenure decision. Administrators and faculty members are encouraged to disseminate the stop-the-tenure-

clock policy widely, and to monitor the policy’s use by both women and men.

The stopping of the tenure clock should be in the form of a clear entitlement under institutional policies, rather than in the form of an individually negotiated agreement or informal practice. Written employment policies designed to support the raising of children should not create a separate “track” that may stigmatize faculty members. Studies of junior tenure-track faculty indicate that the pressures re-

The academic career . . . is paradoxical. Despite its advantages of independence and flexibility, it is psychologically difficult. The lack of ability to limit work, the tendency to compare oneself primarily to the exceptional giants in one’s field, and the high incidence of overload make it particularly difficult for academics to find a satisfactory integration of work with private life. . . . It is the unbounded nature of the academic career that is the heart of the problem. Time is critical for professors, because there is not enough of it to do all the things their job requires: teaching, research, and institutional and professional service. It is therefore impossible for faculty to protect other aspects of their lives.

from Lotte Bailyn, *Breaking the Mold: Women, Men, and Time in the New Corporate World* (New York: Free Press, 1993), 51.

sult not only from time demands created by conflicting responsibilities, but also from uncertain or conflicting expectations on the part of senior faculty concerning the standards for tenure. On some campuses, an implicit model of total dedication still exists, requiring faculty members to demonstrate that work is one’s primary, even sole, commitment. Such expectations must be clarified and modified to recognize the realities of the lives of faculty members who wish to raise children while pursuing an academic career. . . .

Visit us online

AAUP:
www.aaup.org
CA-AAUP:
www.aaup-ca.org
SCFA:
under construction

Child care

Although many institutions recognize the need for child care, fewer offer or subsidize it. The AAUP recommends an institutional commitment to the provision of quality child care for the children of faculty and other academic professionals. As with other benefits, recommendations on the extent and form of such institutional support (whether through subsidized on-campus care or through a benefit plan) should be sought from an appropriate body of the faculty in consultation with other groups on campus, such as staff and students.

Child care is an issue for both men and women. The AAUP believes that for faculty members with child-rearing responsibilities to participate successfully in teaching, research, and service to their institution, they must have access to quality child-care facilities. Furthermore, the availability of child care is a crucial issue in recruiting and retaining faculty. Employers in and out of academe have found that the provision of on-site facilities has led to stronger and more contented families and increased productivity. Some of the benefits that accrue for faculty parents from child-care arrangements on campus include the ability to be reached easily in an emergency, the time and money saved in transportation, and the opportunity to share an occasional lunch or other daytime activity with their children. Faculty members derive peace of mind from knowing that their children are receiving quality care and that the facility has long-term stability. If the institution has an early childhood education program, the opportunity to use the facility for training students provides an additional benefit and contributes to high standards of child care.

Universities and colleges should assume a share of the responsibility for the provision of child-care services. Some institutions, because of their size or other considerations, may choose not to support on-site child care. Such institutions should explore alternatives, such as cooperative arrangements with other nearby employers, resource and referral services, and financial assistance.

Elder and other family care

Increasingly, faculty members are called upon to care for elderly parents and other family members. This tends to be more characteristic of mid-career or senior faculty than of junior faculty. Some faculty members may also be “sandwiched” between responsibilities for children and parents at the same time.

Just as the Association recommends an institutional commitment to providing quality child care, it also strongly recommends an institutional commitment to supporting faculty members in providing quality care to elderly parents or to other family members. Colleges and universities should consider affording financial support to faculty members to cover expenses necessary to allow family members to attend existing centers and programs that provide for elder care or the care of family members with special needs. Institutions should consider providing benefit plans that afford faculty members various options in meeting their family responsibilities.

Flexible work policies and schedules

In addition to formal leave policies, faculty members and academic professionals should have flexibility in scheduling to enable them to respond to family needs as they arise. Flexible work policies allow faculty members to participate in a child’s scheduled school activities or to

handle the conflicts between school and academic calendars. Colleges and universities should, to the extent possible, coordinate academic-year calendars with other local educational institutions, or provide child-care support when conflicts occur.

Both child and other family-care needs of faculty members should be included among the many legitimate considerations in scheduling classes, meetings, and other faculty obligations. Likewise, institutional financial support for the expenses of providing substitute care should be considered when faculty members attend professional conferences.

Conclusion

Because institutional policies may be easier to change than institutional cultures, colleges and universities should monitor the actual use of their policies over time to guarantee that every faculty member—regardless of gender—has a genuine opportunity to benefit from policies encouraging the integration of work and family responsibilities. The goal of every institution should be to create an academic community in which all members are treated equitably, families are supported, and family-care concerns are regarded as legitimate and important. . . .

SCFA Meeting

**February 26, 2004
3:30 to 5:00pm.**

Focus on Childcare and Family Issues.

Open to all Senators.

Refreshments will be served.

Location will be announced by email to senate faculty.

Santa Cruz Faculty Association Membership Application

I wish to join the UCSC Faculty Association. I agree to pay the following monthly dues (check one) by payroll deduction and to sign Form U669 below.

- _____ \$8/month for Assistant Professors
- _____ \$13/month for Associate Professors and Lecturers with SOE
- _____ \$18/month for Full Professors

Send completed form to:
Treasurer, SCFA/AAUP
343 Soquel Ave., #333
Santa Cruz, CA 95062



**EMPLOYEE ORGANIZATION MEMBERSHIP
PAYROLL DEDUCTION AUTHORIZATION
UPAY 669 (r7/90)**

Please Print or Type

	Campus UCSC	LOC	Employee I.D.	Date	
Action on this Form to become effective the pay period beginning:				Date	
Monthly Deduction					
Last Name	First	Middle Initial		Enroll	Cancel
Department Employed at UC			Dues	X	
Title at UC			Initiation Fee		None
Organization Name (include local name & number) Santa Cruz Faculty Association			General Assessment		None
				Total	

I authorize The Regents of the University of California to withhold monthly or cease withholding from my earnings as an employee, membership dues, initiation fees and general assessments as indicated above.

I understand and agree to the arrangement whereby one total monthly deduction will be made by the University based upon the current rate of dues, initiation fees, and general assessments. **I ALSO UNDERSTAND THAT CHANGES IN THE RATE OF DUES, INITIATION FEES AND GENERAL ASSESSMENTS MAY BE MADE AFTER NOTICE TO THAT EFFECT IS GIVEN TO THE UNIVERSITY BY THE ORGANIZATION TO WHICH SUCH AUTHORIZED DEDUCTIONS ARE ASSIGNED AND I HEREBY EXPRESSLY AGREE THAT PURSUANT TO SUCH NOTICE THE UNIVERSITY MAY WITHHOLD FROM MY EARNINGS AMOUNTS EITHER GREATER THAN OR LESS THAN THOSE SHOWN ABOVE WITHOUT OBLIGATION TO INFORM ME BEFORE DOING SO OR TO SEEK ADDITIONAL AUTHORIZATION FROM ME FOR SUCH WITHHOLDINGS.**

The University will remit the amount deducted to the official designated by the organization.

This authorization shall remain in effect until revoked by me - allowing up to 30 days time to change the payroll records in order to make effective this assignment or revocation thereof - or until another employee organization becomes my exclusive representative.

It is understood that this authorization shall become void in the event the employee organization's eligibility for payroll deduction terminates for any reason. Upon termination of my employment with the University, this authorization will no longer be in effect.

This authorization does not include dues, initiation fees and general assessments to cover any time prior to the payroll period in which the initial deduction is made. Payroll deductions, including those legally required and those authorized by an employee are assigned priorities. In the event there are insufficient earnings to cover all required and authorized deductions, it is understood that deductions will be taken in the order assigned by the University and no adjustment will be made in a subsequent pay period for membership dues, initiation fees and general assessments.

Employee Signature	Date

FOR UNIVERSITY USE ONLY

	Tran Code	Employee ID No.	Date	Element No.	Bal CD	Amount
	1 2 4	12	13 18 19	22	23	24 3
			MO DY YR			
	X1			6	G	
	X1			6	G	
	X1			6	G	

RETENTION 1 YEAR AFTER INACTIVE - ACCOUNTING OFFICE

Washington
From page 3

lion deficit to \$8 billion. Next year's deficit looks to increase, if only because Governor Schwarzenegger's pre-inaugural promises have already committed the state to \$4 billion in additional spending and no cuts in popular programs. The combination of inability and unwillingness to fund higher education adequately promises trouble in the year to come.

Openness: The issue of openness surfaces most directly in Title VI of the HEA, which authorizes international programs. On October 21, the House of Representatives passed H.R. 3077, the International Studies in Higher Education Act of 2003, which reauthorizes Title VI of the HEA, a move the AAUP strongly supports. In doing so, however, the House established an "International Advisory Board" which the AAUP strongly opposes. This Board is to "annually review, monitor, apprise, and evaluate the activities of grant recipients based on the purposes and objectives of this title." The Board is charged with making annual recommendations to Congress and the Secretary of Education with the goal of improving the programs under this title. In this context, improvement requires that programs better reflect national needs, especially homeland security, foreign relations, and foreign language training.

During H.R.3077's progress through the House, several changes were made to address the concerns of its critics. The most important of these was to insert language ensuring that the Board cannot "mandate, direct, or control an institution of higher education's specific content, curriculum, or program of instruction." Despite the explicit ban on the Board making curricular deci-

sions, the power to hold hearings, monitor programs, and make recommendations to assure that "authorized activities reflect diverse perspectives and the full range of views on world regions, foreign languages, and international affairs" gives the Board power to have a direct impact on decisions that are properly the faculty's responsibility.

H.R.3077 grew out of complaints by conservative critics, such as Dr. Stanley Kurtz of the Hoover Institution, who have long believed that "Title VI-funded programs. . . tend to purvey extreme and one-sided criticisms of American foreign policy." In testimony to a House subcommittee this summer, Kurtz explained that "the ruling intellectual paradigm in academic area studies (especially Middle Eastern Studies) is called 'post-colonial theory'. . . founded by Columbia University professor of comparative literature, Edward Said." Kurtz concluded that "Congress needs to create a supervisory board to manage Title VI."

Committee sources suggested that without "some language" addressing such ideological concerns, the reauthorization of international programs "would likely be bogged down in the politics of the issue." Nonetheless, as currently spelled out, the Board is likely to be more investigatory than advisory. The bill now goes to the Senate Committee on Health, Education, Labor and Pensions, which will consider it as part of its overall reauthorization of the HEA.

The issue of openness in higher education becomes even more pressing when one considers various issues surrounding the implementation of the USA PATRIOT Act and governmental responses to the events of September 11, 2001.

A new AAUP report (see box next page) questions whether security and freedom are inescapably opposed to one another. In such important areas as scientific research, the free exchange of data may better enable investigators to identify the means for preempting or neutralizing threats posed by information falling into the wrong hands. The report of the AAUP's special committee rests on the premise that freedom of inquiry and the open exchange of ideas are crucial to the nation's security and health.

Congress has begun to consider more closely the provisions of the USA PATRIOT Act, though marked divisions exist over what steps to take. AAUP has endorsed H.R. 1157, the Freedom to Read Protection Act, introduced by Representative Bernie Sanders of Vermont. (California Senator Barbara Boxer has introduced a companion measure in the Senate.) The Sanders and Boxer bills would exempt bookstores and libraries from the provisions allowing law enforcement agencies to compel the release of lists of books purchased or borrowed by individuals in the course of an "authorized investigation . . . of domestic or international terrorism." In endorsing this legislation, the AAUP stressed that the freedom to read is fundamental to academic freedom. The Association believes that these bills will protect legitimate national security concerns, while maintaining this nation's traditional privacy policies for bookstore and library patrons.

The most startling setback for the USA PATRIOT Act's supporters occurred in July when the House of Representatives voted 309-118 to bar enforcement of so-called "sneak and peek" warrants. These warrants allow law enforcement agencies to

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conduct searches without informing the subjects of such searches. Section 213 of the USA PATRIOT Act broadened the grounds under which courts could authorize such warrants. Only a procedural mix-up prevented a vote on the Freedom to Read Protection Act during the same debate. The size of the House vote indicates a gulf between Congress and the Administration on this issue. One Justice Department source actually called the vote to bar enforcement of the “sneak and peek warrants” the “terrorist tipoff amendment.” Remember that this was an amendment offered by a Republican Congressman and backed by an overwhelming majority of the Republican-controlled House of Representatives.

It is this gulf that sparked Attorney General Ashcroft’s “Victory Tour,” a highly publicized tour through the states to defend the existing law while promoting a series of amendments that would extend its provisions. Then, on the very eve of the second anniversary of September 11, President Bush called for an extension of the USA PATRIOT Act. The President’s proposal includes the extension of the death penalty to a greater number of terrorism cases, reducing the opportunity for suspected terrorists to post bail, and authorizing “administrative subpoenas” in terrorism cases. Administrative subpoenas would allow law enforcement agencies to bypass normal judicial procedures. It remains to be seen what direction Congress will ultimately move on these fundamental issues. To stay informed, visit the Government Relations page on the AAUP’s website which is frequently updated with new information:

www.aaup.org/govrel/index.htm

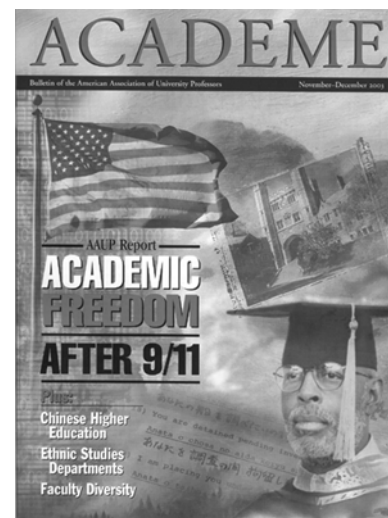
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Under this RSO, retired faculty may be reappointed on a year-to-year basis. In “special circumstances,” multiple-year reappointments of retired faculty for up to five years at a time may be approved.

In all of our previous meetings, Larry Hershman had one or more bright spots to which he could point. This time the mood was pure black. In past years, in conjunction with the November Regents’ Meeting, UC published a 2”-thick budget proposal loaded with numbers and graphs. Mostly these budgets built upon a “Partnership” or a “Compact” that UC had crafted with Governors Wilson and Davis. Under these, UC expected agreed-upon budget increases in return for the fulfillment of agreed-upon goals. (The Legislature was never a party to any of these agreements.) This year, all deals are off and the budget book is about the thickness of the telephone directory of a medium-size campus.

Instead of numbers, the Administration will ask the Regents to adopt a set of principles on the basis of which negotiations over the numbers can occur with the Governor’s Department of Finance. These principles could include (1) holding the line against further erosion of the quality of the institution (which translates into no further increase in the student/faculty ratio); (2) continuing to honor the Master Plan, but *only* if the funding which that document promises is provided—otherwise freeze enrollments; (3) identifying additional fee increases as a viable option. (On this latter point, current CPEC policy provides that student fees should not provide more than 40% of the actual cost of education.)

UC’s priorities include doing whatever can be done to improve faculty salaries. At the moment they are projected to lag those of the comparison institutions by 7 to 9 percent. (The numbers are not all in yet.) Faculty merits will again be paid, *no matter what*. [ED comment: this could be due, in large measure, to the lawsuits in the 1990’s that the FAs supported.]



National Security and Academic Freedom

The AAUP’s *Special Committee on Academic Freedom and National Security in Time of Crisis* report appeared in the November/December issue of *Academe*. Among other things, it addresses sections of the USA PATRIOT Act that threaten academic freedom; restrictions on information; and elevated barriers to entry into the United States by non-citizens, especially foreign students and scholars. It also summarizes a number of national responses to September 11 and their implications for academic freedom.

The report is available online, <www.aaup.org>, or by request from the AAUP’s West Coast Office (800-431-3348).

UC and the Budget

Prepared by AAUP staff members
Fernanda Bustamante and Marcus Harvey

Unveiled on January 9th, the Governor's budget proposal has left many educators wondering about the future. Of particular concern for us are the proposed UC budget and program cuts. As it stands now, UC must absorb another \$372 million in cuts. According to UCOP, the governor's current budget, when combined with prior cuts, leaves the university with \$530 million less in net state funding than it had in the 2000-01 fiscal year—a decline of more than 16%, at a time when enrollments have grown by more than 15%.

Cuts at a Glance

- * Fall 2004 enrollment reduced 10%
- * Faculty spending reduced 5%
- * No COLA increases
- * 7.5% cut to academic and administrative support, including libraries
- * 5% cut in state-funded research
- * Increase in student-faculty ratio
- * 10% fee increase for undergraduates, more for graduate and professional schools
- * Fee surcharge for extra units
- * Financial aid reduced from 33% to 20% of new student fee revenues
- * Elimination of state funding for K-12 outreach
- * UC Merced set to open fall 2005 at a modified level

The Governor's proposal includes a 5% cut to spending on faculty which would be realized by increase the student-faculty ratio (from 19.7 to 1 to 20.7 to 1). In addition to the obvious effects—larger classes, less opportunity for individual interaction with professors, and potentially fewer classes—increasing the ratio can be expected to have a profound and adverse impact on institutional hiring practices. The higher ratio, combined with the lack of cost-of-living ad-

justments over a period of years, can certainly be expected to influence the decisions of those receiving offers of employment from the UC. It may well have an impact on the retention of marketable faculty already here.

For those with good memories and a relish for the ironic, it is interesting to recall that it is precisely now that we are supposed to be gearing up to meet the added demands for education from that body of potential students who are known collectively as Tidal Wave II. According to a report published in *The Berkeleyn*, Regents were told in spring 2000 that, to meet the growth demands through 2010, the system would have to plan—and secure state funding—for 63,000 students more than were enrolled at the time.

We are not making much progress towards that goal. The long-term consequences of the Governor's proposal for the growing college-aged cohort are dire. New freshmen enrollment is slated for a 10% cut (approximately 3,200 students) next fall. This cut necessitates that we turn away freshmen applicants who have met UC's academic eligibility requirements. It means that we will break—for the first-time since the Master Plan's conception—the promise of quality higher education for the top 12.5% of California's graduating high school seniors. In addition, the Governor has included both an increase in student fees and a decrease in financial aid funding (from 33% to 20% of new student revenues) in his budget. Finally, the Governor's proposal eliminates state funding for the UC's K-12 outreach programs. Although one might justify a high-cost/high-aid tuition model as a progressive redistribution of wealth, for us to raise tuition without significantly increasing the amount earmarked for aid (and without spending money to

educate our disadvantaged high school graduates about the resources that could be made available to them), ensures that access to the UC will become more a function of wealth than talent. There is nothing especially meritocratic about the ability to pay.

In laying out the “painful” steps necessary to make his budget work, Governor Schwarzenegger spoke candidly: “Everyone has to make sacrifices. This is the only way we can do it, because we don't have the money.” We couldn't agree more. In a crisis such as the one we are now weathering, logic dictates that we preserve those institutions that are net contributors to the state's economy. To do so, it may be desirable for *everyone* to make some sacrifices.

A university's contribution to the economy in which it is embedded goes far beyond the revenues generated by fees and tuition. In the case of the UC system, a report prepared by ICF Consulting in March 2003 found that for every dollar in state-funded UC expenditures in FY 2000-01, UC spent an additional four dollars in the state economy. Isolating the research function, that same study demonstrated that for every dollar it received from the state for research, UC brought in an additional \$3.89 from federal and private sources.

Fundamentally, the cuts that the UC will experience represent a choice, an expensive choice not to raise the state's revenues. Sadly, this is sure to be a case of the proverbial “penny” wisdom. For many Californians, the consequences of such policies are clear; our unwillingness to part with a little more now, will leave us with a whole lot less in the end.

Three UC Faculty Members Named to AAUP Committees

One of the AAUP's principle functions is to develop and recommend policy for the academic community. The quality of such policy depends upon the care taken in its formulation; the AAUP prefers to forge its "policy through deliberation rather than through pronouncement—because it prefers the slow crystallization of opinion in the academic community to the instantaneous response of elected or appointed leaders." This meticulous work is the domain of the Association's standing committees which are drawn from the ranks of faculty members at institutions across the country. This past year, three UC faculty members—two of them from the BFA—accepted new appointments to AAUP standing committees.



David A. Hollinger (Preston Hotchkis Professor of American History at the University of California, Berkeley) agreed to serve on our Committee A on Academic Freedom and Tenure. The most venerable of the AAUP's internal bodies, Committee A oversees all of the Association's policy development to assure that it remains consistent to the core principles of academic freedom. Committee A also conducts investigations into institutions that egregiously violate the academic freedom of faculty members and brings forward recommendations for institutional censure to the annual meeting each June. A prolific scholar with a deep concern

for the health of the profession, Hollinger has published essays on both academic freedom and faculty shared governance.



Paul Ortiz (Assistant Professor of Community Studies at the University of California, Santa Cruz) has accepted an appointment to the Committee on Teaching, Research, and Publication. Arguably the most eclectic of the AAUP's standing committees, everything from teaching evaluations to intercollegiate athletics falls within its purview. Ortiz won the 2002 Lillian Smith Book Award for *Remembering Jim Crow*, and has demonstrated an unwavering commitment to principles of social justice over the years. He serves on the executive board and chairs the membership committee of the SCFA chapter of the AAUP.



Karlene H. Roberts, Professor in the Walter A. Haas School of Business at the University of California, Berkeley, will serve a three-year term on the Committee on the Economic Status of the Profession. Recognizing from the very beginning that "the pecuniary emoluments of the profession are not, and doubtless never will be, equal to those open to the more successful members of other professions" (1915 *Declaration of Principles on Academic Freedom and Academic Tenure*), the Association has nonetheless done its best to ensure that the life of the mind is rewarded by more than scrip. For many years, the primary task of this committee has been the preparation of the annual report on the economic status of the profession. Roberts chairs the BFA/AAUP's Executive Board.

SCFA/AAUP Personnel

Executive Board

Shelly Errington, Chair (*Anthropology*)
Bob Meister, Vice Chair (*Politics*)
Paul Ortiz, Secretary (*Community Studies*)
Bud Bridges (*Physics*)
Kirsten Griesz (*Literature*)

Membership Committee

Paul Ortiz, Chair (*Community Studies*)
Jennifer Gonzalez (*Art History*)
Yvette Huginnie (*American Studies*)
Tara Madhyastha (*Computer Engineering*)
Karen McNally (*Earth Sciences*)

Publications Committee

Kirsten Griesz, Acting Chair (*Literature*)
Marcus Harvey, Production Editor (*AAUP*)
Scott Brandt (*Computer Science*)
Karen McNally (*Earth Sciences*)

Liaison to Lecturers w/SOE

Carol Freeman (*Writing Program*)

Bargaining Committee

Bob Meister, Chair (*Politics*)
Bruce Bridgeman (*Psychology*)
Ronnie Lipschutz (*Politics*)
Onuttom Narayan (*Physics*)

AAUP, West Coast Staff

Marcus Harvey, Associate Secretary
Fernanda Bustamante, Administrative Asst.

Council of UC Faculty Associations

Robert Meister, President (*UCSC*)
Charles P. Nash, Vice President (*UCD*)
Warren Gold, Vice President (*UCSF*)
Christine Rosen, Secretary (*UCB*)
Roger Ransom, Treasurer (*UCR*)
Marilyn Fravel, Administrative Director
Myrna Hays, Lobbying Coordinator