Welcome, Southern Chapter!
No-confidence vote and surge in AAUP members
by David Robinson, MOAAUP vice-president

We are pleased that Missouri Southern State University has a revitalized chapter of the AAUP; however, our colleagues there are facing some serious issues. More than a month ago, members of the Executive Council of the Missouri Conference were contacted by the national office; they had noticed articles in the Joplin Globe indicating some kind of meltdown of MSSU President Bruce Speck, only in his second year in the position.

Contact with MSSU soon confirmed that there was indeed trouble and that AAUP attention was needed. President Speck’s blunt (indeed erratic and often insulting) statements were continuing, and faculty needed the assurance of academic freedom as they tried to recover some shared governance to see to the needs of their institution. Last March Speck notified the Faculty Senate, in writing, that his administration would refuse to report to them. After a summer marked by administrative resignations and more chaos, President Speck asserted that he would report to no one but the Board of Governors. The faculty formulated 23 complaints, and on October 6, the Faculty Senate voted 21-5 to conduct a no-confidence vote of the entire MSSU faculty. On November 2 that vote went 140 to 44 against Speck. The Faculty Senate and the AAUP are apparently united at MSSU, and that is always a good thing.

Everyone is suffering budget problems these days, of course, and there is naturally plenty of stress, but it does not help when the university president lacks even a modicum of leadership qualities. MSSU has some special issues, namely their flagship Institute of International Studies, which is taking a 40 percent cut, and a controversial partnership with Kansas City University of Medicine and Biosciences, which plans to open a branch of its osteopathic medical school in Joplin. President Speck seems unable to execute his duties in a responsible way, and he is disinclined to undo the damage that he has done; he can no longer solve problems and keep the university functioning for the good of the students and the community.

We urge the MSSU Board of Governors to heed the decision of their faculty. The Board should find a new leader for MSSU, as quickly as possible.

Our hearts, and where possible also our actions, are in full support of the Southern faculty, led by Faculty Senate president Roger Chefl and AAUP chapter president Stephen Schiavo.

Outsourcing MU Medical Center Information Technology to Cerner Corporation – An Imminent Disaster?
By Bennett S. Greenspan, MD, MS and Eddie Adelstein, DVM, MD

Gary Forsee, the President of the University of Missouri, has decided to outsource the medical center information technology (IT) to Cerner Corporation, a large medical software company based in Kansas City. The deal has been made, following a closed door meeting with the Board of Curators, and without any outside discussion, request for proposal, or bid process. It is unclear whether the deal has actually been signed; despite that, implementation has begun. It appears likely that some motivation for this was procurement of stimulus money from the Federal government. It also appears likely that the fact that Mr. Forsee and the CEO of Cerner Corporation serve on the same Board of Trustees together had some influence on this decision. We believe that this is a very bad deal for the University of Missouri Medical Center.

An illustrative example of why this is a very bad decision follows. In 2006, the University
administration required the Radiology department to use the Cerner reporting and billing system. This was a classic example of how not to do things. The Radiology department had no input whatsoever into the decision or in determining what features were necessary to perform the functions of producing reports and generating the bills for the radiologic studies that were performed. Furthermore, the Radiology department was ordered to implement the new system by May 3rd, or was threatened with “you will not have any company support.” Prior to May 3rd of that year, Radiology was considered the best department in the hospital in terms of producing reports of clinical studies and generating the bills for them. The hospital had even asked Radiology to help out the department of Pathology in their reporting.

However, the new system was not ready for implementation. It was extremely slow and cumbersome, and definitely not user-friendly. Some of the features did not work properly. For example, when we hit the “spell check” button, the system deleted the report. Many radiology studies were performed that were subsequently “lost” and not reported. The company was incredibly unresponsive. We realized immediately that we were now generating bills at 20% of the previous rate and thereby losing thousands of dollars daily. Amazingly, the hospital did not seem to care. However, they were quick to blame Radiology for being lazy, slow, and inefficient. That was very interesting since Radiology had been considered so good two weeks earlier.

We had asked for references of departments using this system, and received one name – a hospital in Memphis, TN. The Chair called and spoke to the head of Radiology there who said, “We don’t use the billing system; it is too slow.” After two days, the Chair spoke with one of the on-site applications specialists regarding the billing issue. That person referred the Chair to the main billing person at Cerner Headquarters in Kansas City. After a discussion of the issues and problems, the chief billing person told our Chair, “I suggest you return to your former billing system.” We did that as quickly as possible but found we were now at 60% of our old rate, due to the slowness of the reporting system. After several weeks, it took an ultimatum by the Chair threatening to resign to get the hospital to allow Radiology to remove the Cerner reporting system and return to the old one.

It is also interesting to note that the entire residency program of the Medical Center is on academic probation and is in danger of losing all of its residency programs, in every department. MU School of Medicine is one of only five medical schools in the country on probation. We believe that it is in part due to the fact that the Cerner electronic medical record (EMR) system is very slow, and many residents and interns spend more time typing in notes and lab results than they do spending time with their patients. This Cerner EMR is compromising residency training. Residents have been complaining about this for several years, and the administration (both hospital and University) has done nothing to address this issue.

We are not aware of anyone who has anything positive to say about Cerner software. In fact, there are numerous complaints and problems with using their software. Orange County, California attempted to use Cerner software to track the county’s health care costs. This system broke down immediately after implementation and cost the county approximately $500,000 dollars.

Recently, the CEO of Cerner Corporation received a stern letter from Senator Charles Grassley, ranking member of the Senate Finance Committee, asking for information from Cerner for purposes of protecting Medicare and Medicaid beneficiaries and safeguarding taxpayer dollars. Senator Grassley has received complaints within the last year that faulty Cerner software has been responsible for medical errors, including miscalculating intracranial pressures and miscalculating medication dosages. Also, Cerner apparently shifts responsibility for finding errors in their software to physicians, nurses, pharmacists and other healthcare providers.

Cerner contracts apparently have “hold harmless” clauses for any liability for software errors, and “also include ‘gag orders’ which prohibit health care providers from disclosing system flaws and software defects,” according to Senator Grassley. The letter was sent electronically on October 16 with a request for a response by November 6, 2009. The letter also warns that “no documents, records, data or information related to these matters shall be destroyed, modified, removed or
otherwise made inaccessible to the (Senate Finance) Committee."

If the above is any indication, it is likely that this outsourcing of MU Medical Center IT to Cerner will be a major disaster for the MU University Medical Center and its patients.

2009 Gruber Award Recipient

MOAAUP VP David Robinson presents MU Chapter VP Victoria Johnson with the David Gruber Award at the February state conference meeting. This travel award, given to AAUP members who have demonstrated exceptional service to the organization, honors the late MOAAUP President David Gruber.

Stay tuned for the spring 2010 issue of Missouri Academe for Johnson’s article on the national meeting in Washington D.C.

Conceal and Carry on Missouri College Campuses? MO House trying to get loaded weapons into classrooms
By Keith T. Hardeman, MOAAUP President

If a majority of Missouri House lawmakers have their way, it could soon be legal for many of our college students to attend classes carrying loaded guns. House Bill 668, the Firearms and Defensive Use of Force Act, aims to make two changes in Missouri’s current concealed weapons law. It would reduce the minimum age to acquire a permit for carrying concealed weapons (CCW) from 23 to 21 and eliminate the ban on weapons on public colleges and universities in Missouri. Several states have already passed such legislation.

According to a KOMU news report, the bill passed the House 106-41 last April. The Senate did not take action. Look for similar legislation to return this spring.

Representative Brian Munzlinger (R – Williamstown) believes this legislation would stop college campus shootings from taking place or at least reduce the mass casualties of such a catastrophe. “Criminals don’t obey laws,” Munzlinger said to KOMU. “They want to go to a gun free zone, which is what our educational institutions are right now.” His idea is to give students an opportunity to defend themselves in the event of an on-campus attack such as the Virginia Tech massacre in April 2007.

As farfetched as the idea seems at first glance, some professors support CCW on college campuses. One philosophy professor, an ethicist, says that many students could make themselves safer. "Women, disabled students, older students/faculty/staff, or students with injuries present themselves as vulnerable targets for violent criminals," he stated. "Students have to cross a campus at night, and many campuses are poorly lit. As the old saying goes, 'when seconds count, help is often minutes away.' A legally concealed firearm offers immediate protection."

A political science professor sees it as a constitutional issue, believing that one’s Second Amendment rights should not end when entering a university community. "We teach adults. We are attempting to prepare our students for the ‘real world’ and as such we need to provide the opportunities to act as adults. Part of that need is to provide the opportunity to use rights/freedoms, whether constitutionally protected or not, as responsible citizens. We try to teach speech, voting, and the like. To me, this is an extension.”

Both professors insist that banning weapons on campus only prohibits the law-abiding citizens from carrying firearms. Short of installing airport-like security, violent criminals have easy access to campuses, so the best way to deter criminals is by allowing responsible citizens to be legally armed.

Others completely disagree. Westminster College President Barney Forsythe, an Army General from West Point, strongly opposes this legislation. “This would not make college campuses safer. Far from it.” He dismisses the notion that CCW training makes someone an expert in safely handling a gun in high stress situations. Even as trainees at West Point conduct live fire tactical exercises in
preparation for combat, he said, “They’re all very controlled conditions. It would never occur to the campus leaders to allow [cadets] to carry loaded weapons to class. In fact, the rifles they use for parades don’t even have firing pins.”

A history professor maintains that, with or without this legislation, it would be impossible to stop a gunman from carrying out a campus massacre. With a few readied automatic weapons, one or two assailants could easily take out a class of 30 before anyone could grab their own weapons, he said. Even if some students could access their guns in the calamity, he continued, “Adrenalin spikes and judgment is narrowed to a miniscule time frame. The amount of information one should have when armed with a lethal weapon is far greater than the conscientious gun bearer can collect and collate in the amount of time available.”

Who is shooting? Are there multiple shooters? Is the person doing the shooting a member of the police or acting in an official capacity? “No doubt there are times when it’s clear,” he stated. “However, the speed with which one has to decide on lethal force can push people into incorrect and often irrevocable, deadly choices.” It only stands to reason that when more bullets are flying, more people are likely to be hit.

“In clear choices, some gun owners seem to think they would always hit only what they’re aiming at, and that’s ridiculous,” the professor concluded. “Trained military personnel often die in combat due to friendly fire. Do gun supporters actually believe this wouldn’t happen during a civilian shootout?”

Other potential problems that could arise involve gun misuse in other campus situations and venues. Given the fact that alcohol use at most colleges and universities is high, what role could more accessible guns play in drunken brawls? With more guns available, could accidents increase and could suicide rates increase given the high stress and volatility of college life and the temporary depression that many students experience at one time or another?

The aforementioned ethicist emphatically answers, no. “To get a concealed carry permit, one has to have a squeaky-clean record with no felonies, no drug or alcohol abuse, no history of violence, and no psychological disorders,” he says. “When you apply for the permit, you provide contact information for your physician (and psychologist, if applicable) so that your medical records can be accessed, and your fingerprints and personal information are run through state and federal law enforcement databases. Thus, the kind of people who would be carrying on campus would not be the kind of people who will commit violent crimes.” He also asserted that campuses that allow conceal and carry in Utah, Colorado, and Virginia have had no reported accidents, threats, thefts, or suicides with a legally carried firearm.

The Brady Center to Prevent Gun Violence disagrees. Its publication, No Gun Left Behind, cites studies indicating that significantly more college gun owners engage in binge drinking behaviors when compared to all students. Supporters of HB 668 would be quick to point out that these studies are of all college gun owners – legal and illegal – and are not specifically pointing out CCW permit holders. However, they’re not excluded from the study, either. And the Brady Center provides a long list of national casualties perpetrated by registered CCW licensees, though none given are from college campuses.

In addition, the Brady Center explains that having more guns in campus residence halls allows for an easy opportunity for gun thieves and accidents. Even if it actually hasn’t happened, yet, it’s only a matter of time. “Dorm rooms are small, limiting the number of places where guns could be hidden or locked up. They often experience considerable numbers of visitors... It is also unlikely that college gun owners will be able to keep secret the fact that they have a gun or guns, and many may openly flaunt this fact” (p. 9, www.bradycampaign.org/xshare/pdf/reports/no-gun-left-behind.pdf).

Some argue that guns on campus could limit the free and open exchange of perspectives. One administrator told me, “When you watch the news, you may see references to guns at anti-government protests and demonstrations. For example, people have carried signs saying ‘We didn’t bring our guns – THIS time.’ And it’s completely for the sole purpose of intimidation and quelling other points of view. In a college community, we believe in a free exchange of ideas and discourse. Intimidation plays no role in this venue. And neither do guns.”

The gun issue is emotionally packed and polarizing, to say the least. In determining whether one supports or opposes lifting the ban on conceal and carry in institutions of higher learning, it essentially boils down to one question for professors. Knowing all of your students and colleagues as you do, would you trust them all to
operate and stow firearms and ammunition safely 100% of the time?

AAUP Kansas State Conference Meeting Discusses Shared Governance
By Stuart McAninich

Cary Nelson, the president of the AAUP, and Michael Berube and Marc Bousquet, National Council members, spoke on the topic of “shared governance” at the spring Kansas State Conference meeting at Kansas University Medical Center, Kansas City on April 18. All three speakers emphasized the professional and social context necessary for analysis of issues in shared governance.

Nelson referred to shared governance as one leg of a three-legged stool, with academic freedom and tenure being the other two legs. All three must be successfully protected by faculty in order for the academy to serve the needs of society and prepare students for critical civic participation. When addressing social context, Nelson identified current threats to shared governance: a managerial revolution shifting power to administration and undermining structures for faculty involvement in decision-making, increasing use of contingent faculty, an assault by the political right on shared governance in areas like hiring of faculty as well as on academic freedom, ignorance of faculty regarding principles and structural procedures of shared governance, and the tendency on the part of governing boards and administrations to adopt responses to the current financial crisis without first vetting them with faculty. In the face of this combination of threats, faculty members need to “stand our ground.”

Nelson discussed what standing our ground entails. While exercise of our professional authority is ultimately dependent on powers delegated by governing boards (which possess legal authority), the professional authority of the professoriate should be determinative in planning curriculum, hiring faculty members, and making tenure decisions. In order for professional authority to be determinative in these areas and for the academic freedom necessary for the exercise of professional authority to be preserved, effective structures for shared governance need to be maintained. He asserted that collective bargaining is the most effective means for accomplishing this. Faculty handbooks are less effective given a number of court decisions in recent years that have not upheld provisions in handbooks as legally enforceable work rules. Nelson also cautioned that faculty senates in themselves are not a sufficient safeguard for principles and structural procedures of shared governance due to their close working relationship and tendency to value friendly relations with administrations. A strong AAUP chapter or union is also vital and can serve as a “whip” in the senate when friendly relations between senators and administrators threaten to undermine shared governance. Even when it lacks the power of collective bargaining, a strong AAUP chapter can still “forcefully negotiate.”

Michael Berube spoke on threats to shared governance and academic freedom posed by the culture war and financial crisis. He also addressed the danger for undermining both posed by the Hong v. Grant decision by a federal district court judge (which is on appeal to the U.S. Court of Appeals for the Ninth Circuit) and by the U.S. Supreme Court’s 2006 decision in Garcetti v. Ceballos. Berube noted that these decisions have the potential for eliminating legal protection for faculty members’ statements regarding job-related matters and operation of their institutions.

Marc Bosquet’s remarks largely addressed labor issues in higher education. He noted that the “journey to tenure” is typically 15-25 years in length and includes graduate schooling as well as work as a contingent faculty member and then tenure-track faculty member. Factoring in low compensation during this 15-25 year period, Bosquet compared unfavorably compensation of university faculty members to lifetime compensation of Cincinnati police officers and United States military officers. He argued that compensation of university faculty members needs to be radically restructured along the lines of a civil service model. Strongly suggested by his analysis was the idea that in working to do this, faculty members would come to a theoretically clearer understanding of our roles as a profession in maintaining an inequitable distribution of wealth globally and nationally as well as confronting our own under-compensation.

Subsequent discussion focused on issues such as how to get faculty involved in shared governance and on how non-tenure-line faculty members can be involved.
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