Join us at MOAAUP Annual Meeting February 13!
Topics: Shared Governance & Carry and Conceal Weapon (CCW) Legislation

The Missouri Conference of AAUP will be held on Saturday, February 13, in Royall Hall room 403 on the University of Missouri-Kansas City Volker Campus (see map in this issue).

The morning session includes a panel discussion on the challenges of achieving and maintaining shared governance, and the afternoon session features Representative Chris Kelly (see below).

Chris Kelly to Speak on CCW Legislation

Representative Chris Kelly will address the issue of carry and conceal weapons (CCW) on college campuses at the MOAAUP State meeting.

House Bill 668, the Firearms and Defensive Use of Force Act, passed the House 106-41 last April. The Senate did not take action. Since several states have already passed CCW, look for similar legislation to return this spring. Specifically, the Missouri bill would reduce the minimum age to acquire a permit for carrying concealed weapons from 23 to 21 and eliminate the ban on weapons in public colleges and universities in Missouri. Kelly voted against the bill.

Rep. Kelly (D-24th District) was elected to the House in 1982, 1984, 1986, 1988, 1990, 1992, and most recently in 2008. Kelly is an attorney who previously served as Boone County Associate Circuit Judge, Chairman of the Missouri Labor and Industrial Relations Commission, and as Boone County Clerk.

Kelly was the sponsor of legislation making it illegal to drink and drive in Missouri, creating the durable power of attorney for health care, establishing Missouri’s Abuse and Lose Law, Campaign Finance Reform, and the Missouri Federal Reimbursement Allowance Legislation. He led the legislative effort to create the Katy Trail.

He is a graduate of Marist College (BA ’68) and the University of Missouri’s Law School (JD ’88). He is the recipient of the Mizzou Alumni Association's Geyer Award and numerous other legislative awards.


Conference Registration

Registration Costs
Full-time faculty $20 (includes lunch)
Adjunct Faculty $5 (includes lunch)

Lunch will be delivered to the conference site from Planet Sub (includes a vegetarian option).

Conference pre-registration is not necessary. Please join us at any time between 9:00-10:00 a.m. in Royall Hall room 403 for coffee, juice, and bagels. Please pay at the door; checks can be made out to Missouri Conference, AAUP, or please have the exact amount if paying by cash. If you have questions about the location, parking, or other matters, please contact

Dr. Stuart McAninch
Phone: (913)648-6867
Email: McAninchS@umkc.edu

Directions to the Conference Site, Royall Hall

Royall Hall is across 52nd Street directly north of the intersection of Charlotte Street and 52nd Street at the northwest corner of the parking garage.

To Royall Hall from the south:
- Take Highway 71 to the stoplight at 55th Street.
- Turn left (west) onto 55th Street.
- Take 55th Street across Paseo and Troost (4-lane north/south arterials).
- Turn right at the first stoplight west of Troost (Rockhill Road).
- Turn left at 52nd Street.
**To Royall Hall from the east:**

- Take I-70 to the off-ramp for Highway 71 South.
- Turn left (south) onto Paseo at the stoplights at the bottom of the off-ramp.
- Drive south on Paseo to Volker Blvd. (which is just beyond 47th Street and Emanuel Cleaver II Blvd).
- Turn right (west) onto Volker Blvd.
- Drive west on Volker across Troost Avenue to the next stoplight (Rockhill Road).
- Turn left (south) onto Rockhill Road.
- Turn right at 52nd Street.

**Parking**

Park either in the parking garage immediately to your left after turning or in the parking lot across the street from the parking garage. University parking tags are not required on Saturdays.

**UMKC Volker Campus Map**

![UMKC Volker Campus Map](image)

**AAUP Business Meeting**

In addition to reports and other business items at the February 13 meeting, the Missouri Conference of AAUP will make plans for the National meeting and will present the David F. Gruber Leadership Development Award.

**Dr. Robert Kreiser Speaks about Grievance Procedures at Last Year’s Meeting**

*by Nancy Browning, Robert Kreiser, and Barrie Talbott*

At the February 2009 meeting of the Conference, Dr. Robert Kreiser, author of numerous professional articles and editor of the AAUP *Redbook*, spoke at the morning session about grievance procedures. Dr. Kreiser has been a senior program officer at the AAUP since 1982, and part of his work on the AAUP staff involves helping faculty review their grievance procedures and faculty handbooks.

He spoke about the importance for faculty to understand the meaning of “academic due process,” as that term is generally used. It is defined as follows in the “Informal Glossary of AAUP Terms” (see http://www.aaup.org/AAUP/about/mission/glossary.htm):

[It] refers to procedures designed to resolve personnel issues in a clear, fair, and orderly manner. For example, under AAUP standards, due process consists of a grievance/appeals policy that permits faculty members to present their concerns to an elected faculty committee, with the complaining faculty member carrying the burden of proof. It also consists of a hearing procedure for severe sanctions, where the administration has the burden of demonstrating adequacy of cause for its proposed action. The process that is due to a faculty member depends on the circumstances of the individual’s situation. Broadly, academic due process comprises two elements: (1) adjudicative hearings of record before an elected faculty body for severe sanctions, where the administration bears the burden of demonstrating adequacy of cause, and (2) a grievance/appeals policy that permits faculty members to present their concerns to an elected committee of peers, with the complaining faculty member carrying the burden of proof.

**Developing or revising a grievance procedure**

Dr. Kreiser recommends making sure that faculty know and understand the policies that are currently in their handbook. This advice may sound obvious, but many people are not even aware that there is a faculty handbook. Dr. Kreiser stressed that it is very important to make the grievance procedures known, and that local AAUP chapters can play a role in helping faculty understand their institution’s grievance procedures.

While exploring any grievance or appeal policy, he recommends looking for answers to the following questions:

- What is a considered a grievable matter?
- Who defines what a grievable matter is?
- Who serves on the grievance committee and how are its members selected?
- Who is eligible to file a grievance (are adjunct and other contingent faculty eligible)?
- What, when, and where can faculty grieve?

Dr. Kreiser suggests that grievance issues should be left to a faculty committee, not to administrators, and that the administration should not be in charge of appointing members to a grievance committee.

Until recently, the AAUP did not have any policy recommendations for adjunct faculty. However, the recently published North Idaho College report from Committee A, which dealt with the action taken by the administration to deny any further course assignments to a highly regarded adjunct instructor of English after she had taught part time at the institution for thirteen
consecutive semesters and courses she had taught remained available, is the first to utilize Regulation 13 (of the Association’s Recommended Institutional Regulations on Academic Freedom and Tenure), which was adopted as policy in 2006. According to the North Idaho report, “the regulation, which includes seniority-based reappointment rights, lays out best practices for renewal or nonrenewal of part-time faculty appointments and delineates the protections of academic due process that should be afforded.” (http://www.aaup.org/ AAUP/newsroom/ prarchives/2008/NIdaho.htm). Currently it is rare to see grievance procedures specifically designed to deal with the complaints of adjuncts and other contingent faculty, but Dr. Kreiser recommends that colleges and universities develop such policies and incorporate them into their faculty handbooks.

**Maintaining a healthy grievance procedure**

Establishing and maintaining a good working relationship between faculty and administration is key to making grievance procedures work effectively. A grievance procedure can look good on paper but still not function properly. Grievance policies work best if there is good shared governance. No procedure is likely to be effective if the faculty-administration relation is strained.

**How the AAUP can help**

Getting help from the AAUP doesn’t always have to come during a time of crisis. At any time, the AAUP staff can help faculty with their development or revision of grievance procedures by providing sample or model policies. Also, the staff can help by analyzing current policies and comparing them to the Association’s recommended standards. In recent years Dr. Kreiser has helped the faculty at Westminster College with handbook revisions, and recently, he gave recommendations to faculty at Missouri State University on their handbook.

Dr. Kreiser briefly explained the role that he and his Committee A staff colleagues play when faculty members call or write the Washington office seeking the AAUP’s advice and assistance about a matter involving a seeming departure from the Association’s recommended standards. The policies and procedures set forth in the AAUP’s Redbook more or less dictate the response of the staff, including the determination of whether or not the staff is in a position to pursue an aggrieved professor’s complaint by approaching the administration of that individual’s institution. How far the staff pursues the matter, if at all, will depend entirely on how serious the departure from AAUP standards appears to be. But most of the staff’s assistance to faculty members who submit complaints involves helping them to navigate the often complex grievance process on their campus.

Dr. Kreiser explained that it’s not the AAUP staff’s responsibility to make a judgment on the merits of a faculty member’s complaint or to substitute its judgment for that of faculty bodies at the college or university concerned. Given the Association’s longstanding commitment to peer review processes, the staff believes that such judgments should be made by duly constituted campus faculty bodies. That, of course, assumes that an institution has an appropriate grievance procedure and that it is functioning properly. If that is not the case, the staff might take a different approach.

The AAUP gets approximately 1000 complaints per year with approximately 100 rising to the level of seriousness as to warrant an official expression of written concern from the Washington office. Formal investigations of the most egregious departures from AAUP standards typically occur in no more than four or five cases a year. Those are the cases that usually result in a published report that can lead to censure. Case reports are scrupulously researched and written because the AAUP’s credibility is on the line: “Our only authority is moral authority; we can bring attention to the public, especially the academic public. People may question, ‘Why can’t the AAUP do more?’, but we can’t investigate all incidents.”

Although the AAUP national does publish its case studies, the Committee A staff does not carry out its work by issuing press releases and generally does not comment on current cases. Dr. Kreiser stated, “We do much of our work quietly and without fanfare or publicity in an effort to mediate disputes. We recommend—or urge—a mutually satisfactory resolution of cases that is consistent with our principles and standards. Our goal is to avoid investigations and censure. When we censure an institution, this shows that we have not succeeded in our mediative work; our goal is not to have an institution on the censure list, and once an institution has been placed on that list the staff endeavors to resolve outstanding issues—revising the deficient regulations and achieving redress for the faculty members whose cases were the subject of our published report—as expeditiously as possible.

Dr. Kreiser discussed some things that faculty can do to bring pressure on the institution to follow its policies. The national AAUP can provide statements of policy, but the role of individual AAUP chapters is indispensable.
# Missouri Conference Officers

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**Chapter Service Program:** The Missouri Conference stands ready to aid AAUP chapters and members in any way that it can. If you do not have a local chapter, feel free to contact any conference officer directly, especially Vice-President David Robinson drobinso@truman.edu (tel. 660-785-4321).