Rep. Mary Still to speak at MOAAUP annual meeting
March 31

Representative Mary Wynne Still (D-25th District, Columbia) will address the annual meeting of MOAAUP, during the morning session, on state support for higher education. A member of the Missouri House of Representatives since 2009, Rep. Still has deep background on this topic, among the many issues that she follows. She serves on the House Higher Education and Appropriations-Education committees, among others. She has proposed raising state revenue for education by taxing internet commerce and by a higher cigarette tax.


A graduate of the University of Missouri School of Journalism, Mary Still was director of the UM News Bureau, 1985-93, promoting the land-grant mission of teaching, research, and service. She was director of communications for Attorney General Jay Nixon, 1993-2002, and director of communications for Governor Bob Holden, 2002-04. For current legislative activity and other information, see the official webpage of Rep. Mary Still.

www.house.mo.gov/member.aspx?district=025

Lindenwood AAUP sanctions still in place despite real progress

by Keith T. Hardeman, past-president of MOAAUP

“I’m anti-tenure,” was the professor’s statement quoted in a Chronicle of Higher Education story on tenure vs. finite faculty contracts last year. Given the AAUP’s rich, almost century-long history in establishing faculty guidelines, rights, and responsibilities associated with tenure and academic freedom, this statement was certain to evoke a negative reaction from some Association members. When the professor who made the remark happened to be the chair of the Faculty Council at an institution attempting to come off the AAUP’s governance sanction list, however, some members of the Association viewed the statement as patently unforgivable.

Continued, next page

Annual meeting plans

All faculty of higher education are welcome. Feel free to bring colleagues who are not yet members of AAUP. See “Annual meeting schedule” on p. 3 of this newsletter.

Registration Cost: Full-time faculty $20 (includes lunch)
Adjunct/retired faculty $5 (includes lunch)
Lunch will be delivered to the conference site.

Conference pre-registration is not necessary. Join us any time between 9:00-10:00 a.m. for coffee and bagels. The meeting takes place in Room N-102, Memorial Union (first floor, north entrance, on right as you come in the main entrance from Hitt St). Pay at the door: checks to “Missouri Conference AAUP”; or please have exact cash. If you have questions about the location, parking, etc., contact:

David K. Robinson
Phone: (573) 881-1229
Email: drobinso@truman.edu

Directions to Memorial Union:
From I-70: Exit 128A at U.S. 63 highway. Proceed south (signs will say toward Jefferson City). Exit Stadium Blvd, turn right heading west. Turn right (north) on College Ave, and left (west) on University Ave.
From U.S. 63: Exit west on Stadium Blvd. Turn right (north) on College Ave, and left (west) on University Ave.

Parking:
Memorial Union visitor lot: Directly east of Memorial Union. Enter from University Ave (coin parking meters).
University Avenue Garage: East of Memorial Union on University Ave (free on weekend).
Hitt Street Garage: Enter from Hitt St, north of University Ave (free on weekend).
According to the AAUP’s website, institutions can be “sanctioned for infringement of governance standards after Association investigations have revealed serious departures from generally accepted standards of college and university government endorsed by this Association, as set forth in the Statement on Government of Colleges and Universities and derivative governance documents. Institutions are placed on or removed from this sanction list by vote of the Association's annual meeting.” The site goes on to state that “[t]he publication of these sanctions is for the purpose of informing Association members, the profession at large, and the public that unsatisfactory conditions of academic government exist at the institutions in question.” Removal of the sanction can occur only after a college or university adopts governance policies and practices that are in essential conformity with AAUP-recommended standards.

“Lindenwood University has met the AAUP’s standards with respect to faculty governance, academic freedom, and protections of academic due process. It should be removed from the sanction list at the earliest opportunity. It’s time.”

Last spring, as an officer in the Missouri Conference, I was asked by Robert Kreiser, associate secretary in the national office and staff to the AAUP’s Committee on College and University Governance, to visit the campus of Lindenwood University in St. Charles, and to assess current governance conditions at the institution. This visit was expected to be the final step in LU’s impending removal from the sanction list, where the institution had languished since 1994. A subsequent campus president, a Faculty Council with a legitimate voice in institutional governance, and a significant revision of its faculty handbook filled with policies consistent in most essential respects with AAUP guidelines gave strong hope to Lindenwood faculty and administrators that the sanction would indeed be lifted.

Lindenwood College, as it was then known, was placed on the AAUP’s sanction list under President Dennis Spellmann. Mr. Spellmann came to the college in 1989, first as a consultant, soon thereafter as president, to save a financially struggling institution from potential bankruptcy. His ability to raise funds for the college was reportedly unprecedented, and most faculty members I interviewed conceded that he had indeed saved the institution. But while some credited him with regaining the college’s financial solvency, others condemned him as a leader who had created a hostile working environment. Worse yet, Spellmann changed the faculty handbook to reduce the faculty’s role in most aspects of institutional governance, and he ended tenure in favor of annual contracts. This new handbook was implemented by the Lindenwood administration without any faculty involvement. The climate for academic freedom under President Spellmann was reportedly very chilly.

After Spellmann died in August 2006, Dr. James Evans, who had been provost, was named acting president, and the following February he became president. Evans was a psychology professor at Lindenwood prior to becoming an administrator and served as Lindenwood’s AAUP chapter president while a member of the faculty. In my interview with him, he demonstrated a solid knowledge of and support for AAUP principles and procedural standards. He pointed to significant changes to the faculty handbook that had been made in the previous year, with guidance from the AAUP’s staff, including an explanation of comprehensive faculty governance, a thorough process of appeal for faculty members denied reappointment, and the Faculty Council’s pervasive role in the nonrenewal and appeals process. Since becoming president, Evans also dramatically increased monetary and time support of both faculty and student research, which is something that never happened under Spellmann.

The missing word from this handbook, however, is “tenure.” Since tenure is a primary foundation of the AAUP’s longstanding principles, I did have a level of concern. “I would candidly admit there is slightly more strength in the normal due process if it comes under the label ‘tenure’ with a capital T,” Dr. Evans said in the CHE article. Unfortunately, the Lindenwood board members, while certifying faculty protections in the handbook, are outwardly opposed to the term itself. Nevertheless, while a formal system of tenure has not been reinstated, the revised faculty handbook, approved by the faculty and the administration during the 2010-11 academic year, incorporates key aspects of academic due process required under AAUP-recommended standards, including protections against involuntary termination of the appointments of faculty members who have served beyond the normal probationary period.

In addition to my conversation with President Evans, I spoke with other administrators, the chair of the Faculty Council, and a number of new and experienced faculty members. Their testimonials were unanimous: Under its current president, Lindenwood has become an academically vital institution while maintaining strong financial stability. According to these sources, well-functioning structures of shared governance have been established, and the faculty plays a meaningful role in institutional decision-making processes. They also report a healthy climate for the exercise of academic freedom. My subsequent visitation report, which the AAUP staff provided to the members of the Committee on College and University Governance, outlined my staunch endorsement of Lindenwood’s removal from the sanction list.

Continued, p. 4

For more about Missouri Conference: www.moaaup.org
Campaigns of Missouri Jobs with Justice
by David Robinson, president of MOAAUP

In the summer of 2011, I attended an impressive two-day “summit” workshop organized by Missouri Jobs with Justice. There with leaders of unions, faith-based organizations, government, and social services I participated in a discussion of problems of state budgets and tax policy, and we all had training in media relations. In the fall I sat on a panel that investigated the alarming results, current and anticipated, of cuts in state appropriations to social services. For more on these activities, check out the 29 October 2011 “Hearing on the Downsizing and Consolidation of Social Service Offices.” www.mojwj.org/

It has become clear to me that higher education, as much as we naturally emphasize it, is only one area that is adversely affected by the current economic and political climate in our state. Furthermore, we and our students—many of whom will have careers in education, medicine, government, and social services—are “all in this together” with the people of the state of Missouri, a large portion of whom are suffering now more than ever in living memory. We have to reach out to work in coalition with people who have common goals, especially the goal of better lives for the people of our state.

In this spirit, let me recommend a couple of critical campaigns that have just begun. One is to raise the minimum-wage for Missouri to $8.25, bringing it closer to a true "living wage" and pumping millions into the state economy by increased spending on goods and services. See the website of Give Missourians a Raise. www.givemoaraise.org/

The other campaign is to regulate payday loan companies, who currently shamelessly prey on the poor. The current ‘cap’ on interest rates for loans in Missouri is 1,950%. Missourians for Responsible Lending is working to bring the interest down to fair and sustainable levels for borrowers. www.moresponsiblelending.org/

You can help by collecting signatures to put these two issues on the ballot for November 2012. According to the Missouri Secretary of State, signatures for all initiative petitions are due to the Secretary of State’s office by no later than 5 p.m. on May 6. That means that the work must be done between today and late April. If you can help, please contact Rachel English, Grass Roots Organizing (GRO), tel. 573-443-4476 or 573-239-0771. Email: rachel@gromo.org

On the pages of this issue:
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4. Missouri Jobs with Justice
5. Annual meeting schedule
6. Domestic partner benefits?
7. Recording in classrooms
8. Proposal on governing boards
9. Realignment at Northwest

Annual meeting schedule
Saturday, March 31
Memorial Union, Room N-102
University of Missouri Columbia

Tentative meeting schedule:
9:00-10:00 Coffee social
10:00-11:00 Informal reports from members
11:00-12:00 Rep. Mary Still, address and questions (can go overtime, depending on speaker)
12:30-1:30 Lunch, delivered to meeting room
1:30-2:30 Business meeting (3:00 limit on room)

Agenda of the business meeting:
1. Approval of minutes of 2011 annual meeting (minutes circulated at the meeting)
2. Officer reports: president, secretary-treasurer, etc.
3. (No officer elections scheduled for this year; think about next year)
4. Election of delegates to AAUP national meeting in DC, June 13-17
5. Discussion of issues in the newsletter, any new business
6. 2012 David F. Gruber Leadership Development Award

Chapter delegates to state meeting: We urge all active chapters formally to elect two delegates (and alternates). Formal chapter delegates will elect Missouri Conference delegates to the national meeting. Other questions in the business meeting are decided by vote of all present AAUP members in good standing (i.e. dues paid).

Conference delegates to national meeting: We can send up to four delegates to represent our conference. We seldom send more than one or two, because of scheduling and expense. Any AAUP member considering this trip to Washington DC, June 13-17, should contact an MOAAUP officer well before our meeting on March 31.
In my judgment, Lindenwood seems have adopted the process, if not the label. The chair of the Faculty Council confirmed that the FC is very involved in institutional governance. He stated that communication between the FC and all layers of administration is open and free flowing. “Faculty see themselves as stakeholders in the institution. The FC is a big piece of the grievance process, and Dr. Evans has complied with 100% of our recommendations,” he said. Though the FC chair may not fully understand the meaning of tenure, he certainly supports and oversees its purposes. Sadly, this professor is by no means alone in his misunderstanding of the word itself. I have given presentations on academic freedom and tenure to college and university faculty in Missouri, Oklahoma, Indiana, and Iowa, and I have found it is not uncommon that some professors don’t fully recognize what tenure is (and, perhaps more importantly, what it isn’t) according to the gold-standard AAUP definition. See my outline of tenure-myths, aaup.truman.edu/hardeman06.html

Ultimately, sanction removal would not only be an appropriate reward for the complete governance turnaround LU has made, it could also have a positive impact on the AAUP as a whole. I believe that faculty members at Lindenwood want to be involved with the Missouri Conference. Of course, a stronger MOAAUP makes for a stronger national association. If there is indeed misunderstanding of what tenure is among some of their professors, what better way to remedy that than to ask them to join us? Individuals are free to join AAUP now, but they might be more likely to do it if their university comes off the sanction list.

I have visited the campus and interviewed a slew of faculty and administrators. I have perused the institution’s faculty handbook. In my view, Lindenwood University has met the AAUP’s standards with respect to faculty governance, academic freedom, and protections of academic due process. It should be removed from the sanction list at the earliest opportunity. It’s time.

**Domestic-partner benefits at public universities in Missouri?**

*It may be happening …*

by David K. Robinson, president of MOAAUP

In spite of all the political and financial pressures that might mitigate against it, faculty senates and administrators across Missouri have been rallying behind the idea of giving employee benefits on a more equitable basis, and these efforts are now reaching the governing boards. MOAAUP became involved in spring 2011, when Faculty Council of University of Missouri Columbia sought advice and a supporting letter to add to their resources for a resolution that asked their Board of Curators to enact this change. Their entire document is worth reading, a treasure trove of interesting findings on common practices of institutions and corporations (such benefits are already there in most peer institutions and even in many local businesses).


My response to the request for an “AAUP position” was generally this: “Our organization is best known for upholding the standards of academic freedom, tenure, and shared
governance; most universities, including University of Missouri, reference those standards in their faculty handbooks and other policies. As part of shared governance, faculty bodies have the responsibility to advise administration and governing bodies concerning practices that create the best environment for their research and learning communities and that will attract diverse and productive students, faculty, and staff.” Then I referred the UM officials to relevant AAUP publications on benefits, inclusiveness, and nondiscrimination. The Missouri Association of Faculty Senates (MAFS), meeting 11 October 2011, voted a letter of support for the UMC Faculty Council resolution, adding their “hope that other public colleges and universities in Missouri will follow the lead of the University of Missouri and likewise offer their own domestic partner benefits.” On 9 February 2012, the Faculty Senate of Missouri State University (Springfield) passed a “Resolution in Support for Equal Rights for Benefits as State University Employees.” The issue has made it to the agenda of the Faculty Senate at Truman State University (Kirksville) and may be soon taken up by a subcommittee of its Board of Governors. Rumor is that the UM Board of Curators will take up domestic-partner benefits during their April 5 meeting at Missouri University of Science and Technology (Rolla), and the new president of the University of Missouri system, Tim Wolfe, has called for a resolution of this question “by the end of this year.”


We can only hope that things progress very quickly, and MOAAUP will try to keep abreast of all the developments.  

MAFS resolution on recording in classrooms

The 7 February 2012 meeting of Missouri Association of Faculty Senates (MAFS) www.mafs.org passed a resolution, proposed by the Faculty Senate of University of Central Missouri, on an issue that is tied to a cause célèbre of MOAAUP, indeed of AAUP generally. See the article on Judy Ancel and Don Giljum at last summer’s annual AAUP meeting, p. 4 of our previous newsletter. www.moaauup.org/pdfs/MissouriAcademeFall2011.pdf

A bill filed in the Missouri General Assembly would give students in public institutions of higher education the right to record classroom lectures and discussions; it would also forbid instructors and universities from regulating such recording. Word is that this bill is a reaction to University of Missouri policy that was developed in response to the media attack on Ancel and Giljum. In our sometimes crazy political environment, a great deal of mischief can result when material from such recordings is taken out of the context of the classroom. HB 1229 was referred to the Higher Education Committee of the House on January 19, without further action at the point that this newsletter was released. Let’s hope that the bill dies there; if not, we should be prepared to organize opposition to this bill, along these lines:

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The Missouri Association of Faculty Senates (MAFS) – Resolution on HB 1229

• Students have the right to expect a comfortable learning environment in which their confidentiality rights are protected.
• Faculty must have the ability to control the environment in their own classrooms.
• Faculty must have control of the curriculum within and through the already existing governance processes.
• Faculty and students must be free to examine controversial subject matter in the classroom.
• Classroom content must be taken in context within the class session and throughout the entire course.

HB 1229, introduced by Representative Paul Curtman, states: “Any student of an institution of higher education located in this state and funded in whole or in part by appropriations from state revenue shall have the right to record public lectures that are presented in a classroom environment for such student's individual use. This section shall not be interpreted to permit the dissemination of recordings in consideration for compensation and shall not waive or infringe any institutional policy protecting or affirming copyright, trademark, or intellectual property interests otherwise eligible for protection under state or federal law.”

Given recent incidents in higher education in Missouri and throughout the country where recordings of portions of classroom content were distributed and willfully taken out of context, it would be ill-advised to allow the recording and dissemination of classroom content contrary to established customary practices and policies of Missouri public universities.

Motion: MAFS calls upon the sponsors of HB 1229 to withdraw the bill, or, barring such action, calls on the members of the Missouri General Assembly to reject passage of HB 1229.
MOAAUP officers support MNEA proposal on appointments to governing boards

In the past five years or so, many of our state universities have gone through administrative, even campus-wide, upheaval, because of unexpected actions by governing boards. The governing boards (Board of Governors, Board of Curators, Board of Regents, etc.) often have long-term vacancies or members who continue to serve way beyond their terms, followed by sudden new appointments. The end of a governor’s term—2008 was a good example, 2012 might be another—can even see the majority of the board replaced within a year, whereas the five- or six-year terms are designed to be staggered with the intention to provide smooth continuity. Our university websites try to hide the problems of vacancies and expired terms; often the only way to find out the facts about these boards is to go down the list on the governor’s website. governor.mo.gov/boards/

If university administrations and governing boards had been functioning as they should, irregularities in board appointments would probably have received little attention from the faculty. However, during this past decade the problem has been impossible to overlook. Members of MNEA who are faculty at University of Central Missouri did some research, discovered the “Virginia Plan” for academic board appointments, and passed the resolution below. At their annual planning meeting on 12 November 2011, the officers of MOAAUP voted their support and decided to bring the idea to the annual meeting on March 31, when we can consider whether to press for action on this idea.

Annual AAUP Meeting and Conference on the State of Higher Education

When: June 13–17, 2012
Where: Mayflower Renaissance Washington DC Hotel

Highlights:
Wednesday night: Capitol Hill Orientation Workshop
Thursday midday: Lobbying visits on Capitol Hill
Friday 9:45-11:00am: Assembly of State Conferences Program
7:00-9:30pm: ASC Business Meeting
Saturday am and pm: Annual Meeting Plenary Sessions
Wednesday through Friday: Paper presentations of many kinds

Join your colleagues June 13–17, 2012, for the AAUP’s Annual Conference on the State of Higher Education, including the Ninety-eighth Annual Meeting of the AAUP.
http://www(aaup.org/AAUP/about/events/anconf/default.htm

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Resolution of Missouri National Education Association, MNEA www.mnea.org

L-C2 Non-Partisan Commission for Higher Education
Board Appointments (Resolutions: A-13, A-15)

Belief: The Association believes that limiting partisan politics is important for fair and knowledgeable governance of our public universities and colleges. Governing board members of public colleges and universities should be selected on the basis of merit, not political connections.

Rationale: Under current Missouri law, to be appointed to serve as a voting member on a governing board of a public institution of higher education, one must be appointed by the Governor, by and with the advice and consent of the Senate. The qualifications for this position are limited to a geographic residence requirement with a limitation on the number of members affiliated with one political party. Although Missouri institutions of higher education have benefited from the service of those members of individual governing boards, the present climate of accountability in higher education, the present financial conditions for public higher education in Missouri, and the evolving nature of the tasks of these governing boards require a selection process that results in members on governing boards who have sufficient qualification and experience for those tasks and that the members of these governing boards can be assured a selection process that provides them an office that carries the sense of authenticity that their tasks demand.

The Missouri Nonpartisan Court Plan is an essential way to limit partisan politics in the selection process for judicial appointments and is so effective that many states have adopted the “Missouri Plan.” Virginia presently has legislation of this nature for the selection of governing board members for public colleges and universities. The Virginia Commission on Higher Education Board Appointments consists of five non-legislative citizen members appointed by the Governor plus the Commissioner of Higher Education and the Secretary of State serving as nonvoting, ex officio members. The non-legislative citizen members consist of: two non-legislative citizen members who are former members of governing bodies of Virginia’s public institutions of higher education; one non-legislative citizen member who shall be either a former president, provost, or executive vice-president of a public institution of higher education; and two non-legislative citizen members who shall be citizens-at-large to be appointed by the Governor. The Commission maintains and oversees a process for evaluating potential appointees to higher education governing boards, based on substantive qualifications, including merit and experience and makes recommendations to the governor at least 30 days prior to the expiration of terms to fill vacancies on higher education governing boards.
The National Governor’s Association (NGA) observed that establishing an advisory board or review commission for certain high profile appointments can be of “particular benefit when the governor is looking to involve key stakeholders, get outside input from a variety of sources, and also to depoliticize a potentially difficult or highly visible appointment process.” The NGA found that the Virginia commission has worked well to buffer the Governor from the nominating process and that less than a third of all higher education appointees are financial contributors to the Governor. The Association of Governing Boards of Universities and Colleges (AGB) observed that the Virginia legislation provides one of the clearest examples of state leaders working together to support public higher education governance.

**Action:** The Association [MNEA] urges the General Assembly to adopt legislation similar to that used in Virginia to create a non-partisan process for higher education board appointments in Missouri.

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**Realignment at Northwest**

*Who is next? How is it done?*

Northwest Missouri State University (Marysville) will realign its academic programs on July 1, in addition to making several other program and personnel changes in response to the financial challenges to higher education, the University announced on February 16. The Family and Consumer Sciences Bachelor of Science in Education degree program and dance courses will be eliminated. Academic departments will be realigned and reduced from 19 to 11. Northwest's total workforce will be reduced by 20 people. These decisions and the realignment plan were made consistent with the Faculty Handbook, university officials claim; however, there is little indication that regular faculty and staff were involved in the process before the sudden announcement.

It is not entirely clear whether tenured faculty will lose employment at the university, but the university website offers this information:

- Faculty members in the Department of Family and Consumer Sciences whose positions are being eliminated will remain in place until June 30, 2013, to ensure a smooth transition to the new model.
- A tenured faculty member who loses his or her position is placed on a recall list for two years. The faculty member also will have access to a list of personnel vacancies as they occur and will be rehired to positions for which he or she is as or more qualified than a non-campus applicant.

http://www.nwmissouri.edu/media/news/2012/02/16realignment.htm
http://www.nwmissouri.edu/budgetfaqs/index.htm

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**The Assembly of State Conferences (ASC) is planning a Saturday workshop for the St. Louis area next fall (probably in October). Watch for further developments and details.**

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The essential parts of the all-important AAUP Redbook (left) are available online.

www.aaup.org/AAUP/pubsres/policydocs/

The actual red book is still being produced, however. Missouri Conference will give your chapter one copy, with our compliments, if you contact the MOAAUP president. drobinso@truman.edu

You might consider a formal presentation of the book to a president, dean, or provost, on the occasion of a meeting with AAUP members.
### Missouri Conference Officers, 2011-12

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<th><strong>Members-at-Large:</strong></th>
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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 work in Missouri and do not have a local chapter, feel free to contact any conference officer directly, especially Vice-President John Harms. [JohnHarms@missouristate.edu](mailto:JohnHarms@missouristate.edu) (tel. 417-836-5676).