

TESTIMONY OF CATHERINE DESOTO, PHD
BEFORE THE
IOWA STATE SENATE LEGISLATIVE GOVERNMENT OVERSIGHT COMMITTEE

For a hearing on
"UNI Budget, Due Process for Cost Savings Decisions, Plan Going Forward"

MARCH 27, 2012

Chairperson Courtney, and Distinguished Members of the Committee:

On behalf of the faculty members I urge you to consider some facts about the budget and the priorities at UNI, recent due process violations, and some ideas about how to move forward. I urge you to consider the norms for colleges and universities. In addition to being a tenured member of the faculty, I serve as the president of the Collective Bargaining Agent for faculty United Faculty which is also an AAUP chapter.

Most colleges and universities have active AAUP chapters on campus, including both Iowa and Iowa State. The American Association of University Professors (AAUP) was founded 1915. The AAUP's basic purpose has been to advance academic freedom, to define fundamental professional values and standards for higher education, and to ensure higher education's contribution to the common good. AAUP chapters are present on over **500 campuses, and membership in the organization is about 47,000. The AAUP's "1940 Statement of Principles on Academic Freedom and Tenure" is considered to be the definitive statement of standard practices.** The association's guidelines are the model for professional employment practices at colleges and universities throughout the country. I wish to say loud and clear that being censured by the AAUP is a serious matter in academia. It is rare and it hurts. In this case, the events at UNI are so stunning and so far outside the norms of the profession that the investigation has been fast-tracked.

I will be covering four points.

The cuts will have far reaching effects.

The process is a flagrant violation of professional norms.

There are Priority Problems at UNI.

There are better ways to save money.

As Iowa's legislative leaders, I know that you are committed to ensuring that public funds are well spent, and that they are spent in accordance to the legislative enactments for which they are intended. I want to assure you that I and the faculty share this goal with you. The faculty are united in defense of the core mission, we want – as you do – the financial decisions of our upper administration to reflect support of teaching, research and service. We do not want monies intended for teaching, research and scholarship to be diverted to auxiliary spending at the expense of the core mission. We do not want class sizes to increase, for needed classes to not be offered and delay graduation for our students, we do not want faculty who want to teach needed classes to be paid not to teach as a bribe for not claiming their recall rights. We do not want tuition to increase. We do not want increases in administrative expenses to require cuts and higher tuition. This is why we are here. This is abhorrent to us. Iowa is a great state and we want Iowa's universities to play a key role in securing its future. If this is your goal, we are your partner and are at your disposal.

I would be happy to answer any questions.

Senator Thomas G. Courtney, Chairperson
Senator Steven J. Soddors, Vice Chairperson
Senator Kent Sorenson, Ranking Member
Senator Sandra Greiner
Senator John P. Kibbie

TOPIC: UNI budget, due process for cost savings decisions, plan going forward.

Point 1 : Not “two or less students a year”

A Domino Effect

Representative programs

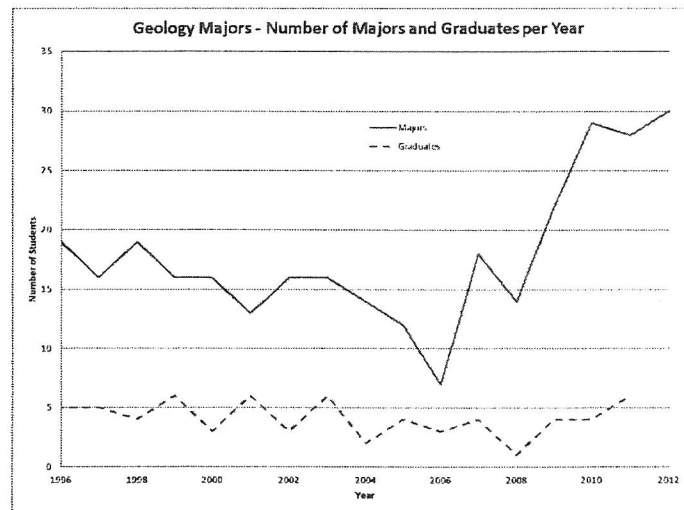
All undergraduate and graduate programs in French, (as well as German and Russian) are slated for elimination

- 40 students have declared majors in French
- Major and minor courses reach 460 persons each semester
- Provide needed classes regularly used by John Deere employees
- The national average for annual number of students graduating with a degree in French is 3.04. UNI is more than double this, with an average of 7 graduates a year.

Cutting languages affects local business, future musicians, future teachers – not just the 111 officially declared UNI students with affected majors and minors.

The Geology major is going to end at UNI

- Geology has been part of UNI since 1895
- There are 29 declared geology majors
- Currently there is an all time high in the number of majors, the program has been growing.
- If most recent 2012 numbers were used, the number of graduates would be over 10.



The department plays an important role for Science Education majors; and Biology majors often take Geography as part of their required course of study for their major. Cuts do not just affect majors.

Philosophy

- There are 49 students with a philosophy major
- Religion has an additional 27 majors
- Four tenured faculty (33% of tenured faculty) must be gone by the next academic year.

These two majors are very heavy in general education classes (“LAC”).

- In 2010/11 1,981 students took liberal arts core classes taught by these faculty.

The Liberal Arts Core courses taught by these four tenured faculty will still have to be taught. It is impossible to cut 33% of the full time faculty and NOT have classes being taught by part time faculty.

Point 2 : Violation of professional norms and UNI past practice

Tenure Rights Being Circumvented No Consultation on Curricular Changes AAUP

No Consultation in stark violation of common-sense professional standards

Media reports are false. March 23, 2012 DMR. *“(President) Allen said he spent months talking with union faculty members about what was coming.”* This is categorically untrue.

1. First meeting was held on January 25, at 5 pm. There was a total of five meetings. Meetings were at their request.
2. President did not attend any meetings.
3. The topic was not which programs to eliminate.
4. To even see a list of which programs were on the provosts cut list, a formal information request had to be made. It was finally shared on Feb 27, 2012.
5. The list was not given to us to consider and our opinion on it was not asked, it was placed on an overhead for us to look at.

The proper body to consult with about curricular changes is not UF, it is the senate and the faculty members of the affected departments.

UNI faculty senate releases a formal statement on March 6, 2012:

“The process came to the UNI Faculty Senate roughly two weeks before a planned public announcement despite the fact that the administration has known for the entire academic year that such cuts would be proposed....Let it be known that the UNI Faculty Senate does not condone nor endorse any recommendations being made for program closures, nor does it fully understand the criteria or justification...”process used (is) contrary to accepted practices for an institution of higher learning.”

Professional Standards: AAUP

Curriculum: the faculty is supposed to have “primary responsibility” in decision making regarding the curriculum. Thus, to be cut out almost entirely, would be a direct violation.

"The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process. On these matters the power of review or final decision lodged in the governing board or delegated by it to the president should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty. It is desirable that the faculty should, following such communication, have opportunity for further consideration and further transmittal of its views to the president or board. Budgets, personnel limitations, the time element, and the policies of other groups, bodies, and agencies having jurisdiction over the institution may set limits to realization of faculty advice."

In the area of academic freedom and tenure: The key procedural standards are Regulations 4c and 4d of the "Recommended Institutional Regulations on Academic Freedom and Tenure"

Essentially, what these regulations are saying is that *a tenured faculty member can be separated from service only for cause as demonstrated by the administration in an adjudicative hearing*. The two regulations above involve exceptions to that rule.

Financial exigency (4c) is defined as “*an imminent financial crisis that threatens the survival of the institution as a whole and that cannot be alleviated by less drastic means than terminating appointments. Discontinuance not mandated by financial exigency (4d), when it involves terminations of appointments, must be “based essentially on educational considerations, as determined primarily by the faculty as a whole or an appropriate committee thereof.”*

- In the absence of proof of financial exigency,
- Without any clear links to the institution's educational mission, and
- Without meaningful faculty input, UNI's decision to layoff faculty and discontinue programs is on it's face a violation of the AAUP principles that are widely adopted by colleges and universities to ensure "good" governance.

KEY NOTES on UNI's Own Policies on Curriculum Changes

Office of the **Executive Vice President and Provost**

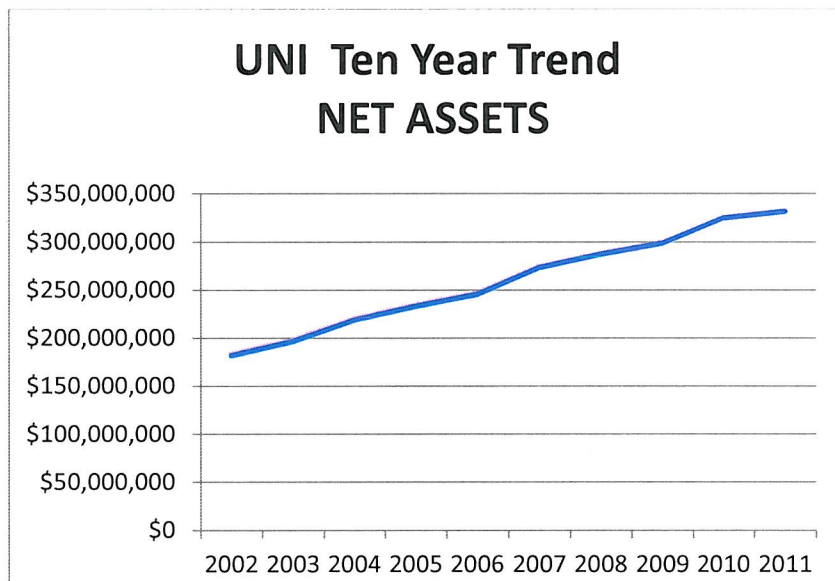
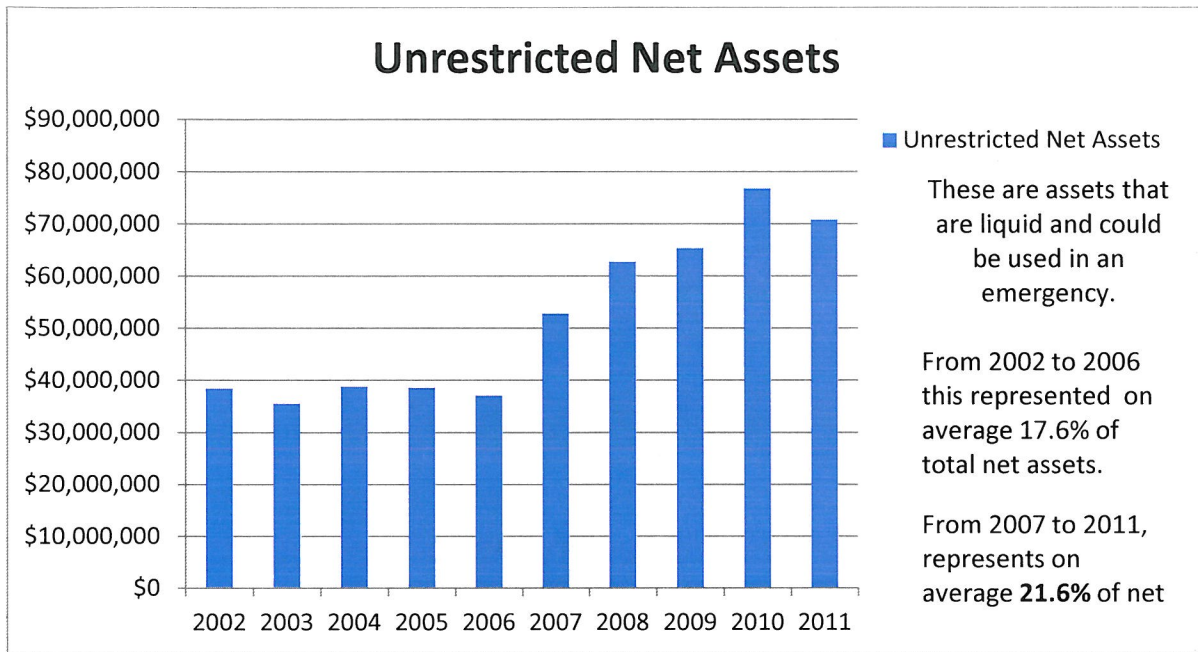
“Faculty members within academic departments are primarily responsible for initiating curriculum proposals.”

“The University Curriculum Committee reviews undergraduate curriculum proposals and recommends to the University Faculty Senate changes in existing undergraduate curricula.”

To change a class or drop a class requires a consultation with any department what would be affected by the cut or change, in addition to the home department of the class in question.

Point 3: There are Priority Problems at UNI

A. NET ASSETS



Arbitrator in recent collective bargaining impasse on wages and benefits:

“Union’s expert, Professor Bunsis, even in light of Employer’s offered testimony, indicates the UNI is in sound fiscal shape.”

**More Priority Problems: Faculty want auxiliary spending oversight
and adherence to the core mission.**

This money should be used to lower tuition and keep quality, expert faculty in the classroom.

- In the year 2000: Auxiliary spending was at 3% of GE funds.
- In 2008 it was over 6% prompting the Senate Resolution of 2009.
- Increasing tuition and actual cuts to faculty salary prompted the 2010 update.
- Auxiliary share of GE dropped to about 4.6% of GE funding, but is increasing again.
- Over the past 14 years the amount of general education funding required to meet deficits in the Athletic budget increased from **\$2.82 million in 1997** to **\$5.28 million in 2007** and was **\$4.55 million in 2011**.

Senate Resolutions on General Education Support for Athletic Programs

1. Fully considered
2. Reasonable

2009

The allocation of General Education Funds to Auxiliary Enterprise operations at UNI should be limited to no more than three percent of the General Education Fund, and the savings generated by cutting Auxiliary Enterprise spending should be used to maintain the academic integrity of the University, and that this adjustment process should be implemented over the next five years.

2010

Be it further resolved that in the event that the state appropriations for UNI are cut further, the University Faculty Senate calls for a further reduction of the allocation of General Education Funds allocated to Auxiliary Enterprise operations at UNI to no more than one percent of the General Education Funds before cutting any of the General Education Funds allocated to the Academics Affairs Division of UNI.

- UNI : direct institutional support for athletics*** \$4.5 million,
- Iowa State : direct institutional support \$2.4 million
- University of Iowa: direct institutional support : (\$0.0)

SIU Carbondale, IL : 3.4 million

University of North Texas: \$14 THOUSAND

Illinois State University: 2.4 million

University North Carolina at Greensboro: \$ 552 THOUSAND

With about **4 or 5 million a year being diverted to athletics** that such core programs as foreign languages, geology, physics, philosophy that serve hundreds of tuition paying students would be EVEN CONTEMPLATED for closure due to a "budget crisis." Moreover, laying off tenured faculty will mark UNI with the scarlet letter for generations among academics. I believe another quote from the Northern Iowan is that the **current budget shortfall is ***\$ 4.6 million.**

Point 4 There are better ways to save money

Faculty do not understand the actual purpose of these cuts nor the way they were carried out, but here are some unexplored ways to save money.

Top 4 ways to realign budget in favor of academics: \$2-\$6 million range

1. Honor the senate resolution.
 2. Revert provost and president office spending to 2003 levels.
 3. Instead of Department Heads that are classified as administrators, have rotating Department Chairs that retain faculty status.
 - a. Estimated savings between 1 and 4 million a year, depending on assumptions.
 4. Reduce number of administrators per pupil back to where it was in 2002 years ago.
 - a. (FTE students in 2002 were 12,186; 2011 it was 11,431)
 - b. (Administrators in 2002: 286; and in 2011: 305,)
- Extra 37 administrators** 150K per year = \$ 5.6 million

Top 4 ways to realign budget in favor of academics: \$200,000 to \$500,000 range (four to six laid off professors)

1. Allow better planning so that left over funds at the end of year are not used on unneeded items (end of year spending spree given to departments)
2. Match increases in salary and supply spending for president and provost office to inflation for past five years.
3. Donate the ~~performance incentives~~ deferred compensation portion of President's salary for current and past three years.
4. Limit or eliminate ad campaigns that use outside advertising firms (2010 \$400,000 was spent on EdgeCorp)

We would like this committee to recommend that no classes that laid off tenured faculty have taught and are willing to teach be taught next year by non-tenured or part time / temporary faculty.

We would like this committee to recommend no programs be closed without meaningful input from faculty on the curricular and societal implications of these cuts.

The ESIP is not attractive to most faculty and appears to be an unwise way to spend funds. It is paying faculty who want to teach classes –classes that students want to take -- not to do so. The ESIP money could be much more effective if the BOR has asked faculty how to best incentivize faculty departure from the university.