

AAUP

American Association of University Professors

Academic Freedom for a Free Society

November 8, 2009

Professor James Goldstein
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Dear Professor Goldstein:

You have asked us to comment on the document entitled "Guidelines for Establishing and Filling Positions in the Lecturer Title Series Submitted to Senate Leadership 11/3/2009." In doing so, I will confine myself to noting the major ways in which this proposal departs from AAUP-recommended principles and procedural standards.

The most obvious departure is the establishment of indefinitely renewable full-time appointments with no possibility of tenure. As you are doubtless aware, fundamental tenets of academic freedom and tenure are enunciated in the 1940 *Statement of Principles on Academic Freedom and Tenure* (enclosed), which was jointly formulated by the American Association of University Professors and the Association of American Colleges (now the Association of American Colleges and Universities) and subsequently endorsed by more than 210 educational and scholarly organizations. According to the 1940 *Statement*, "After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies." The probationary period, furthermore, "should not exceed seven years. . . ."

Regulation 1b of the derivative *Recommended Institutional Regulations on Academic Freedom and Tenure* (enclosed) provides that, "[w]ith the exception of special appointments clearly limited to a brief association with the institution, and reappointments of retired faculty members on special conditions, all full-time faculty appointments are of two kinds: (1) probationary appointments; (2) appointments with continuous tenure."

The "Guidelines," however, propose the creation of full-time appointments—Lecturer and Senior Lecturer—whose occupants are not eligible for tenure. Such an arrangement is impermissible under the above-cited AAUP-supported standards. According to the proposal, faculty members holding these positions will serve on annually renewable term contracts. While some due-

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process protections are provided when contracts are terminated during the contract term or when a faculty member whose appointment is not renewed alleges a violation of academic freedom, we note, with concern, that dismissal can "be effected . . . for lack of funding," apparently without any affordance of due process, and that there appears to be no provision for faculty members facing nonrenewal to petition a faculty grievance committee alleging inadequate consideration or discrimination (see Regulations 2g and 10 of the *Recommended Institutional Regulations* and the enclosed *Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments*).

The proposal states, on page 10, that "[t]he expectation of continuous appointment provides the guarantee needed to ensure academic freedom." Our Association has found that the protection of academic freedom requires much more than that. Therefore, under AAUP-supported policies, full-time faculty members in their first seven years of service, whether the university considers them to be tenure-track or not, should be afforded the same due-process protections as their colleagues in tenurable appointments. Similarly, full-time faculty members whose service has extended beyond seven years, regardless of whether the university considers them tenured, should be afforded the same due-process protections as their tenured colleagues.

Finally, let me commend to your attention and that of your colleagues the enclosed *On Full-Time Non-Tenure-Track Appointments* and *Contingent Appointments and the Academic Profession*, both of which discuss the growing trend of employing faculty off the tenure track and the associated effects on the quality of student learning, the sense of equity among faculty colleagues, the integrity of faculty work, and academic freedom. The thrust of both reports is to encourage colleges and universities to move away from this practice. The proposal under consideration at Auburn seems to be aiming in the opposite direction.

I hope you and your colleagues find these comments helpful. If you have any questions, please do not hesitate to contact me.

Sincerely,



Gregory F. Scholtz
Associate Secretary and Director
Department of Academic Freedom, Tenure, and Governance

Enclosures