



AAUP ALERT

Newsletter of the Colorado Conference of the American Association of University Professors
May 2021

Including those in higher education

Proposed legislation would allow all Colorado public employees to unionize



Senate Majority Leader Stephen Fenburg and House Majority Leader Danaya Esgar are sponsoring a bill in the Colorado General Assembly this session that could radically affect the working conditions for more than 130,000 workers in Colorado including those in the state's 29 higher education institutions.

Draft language of the bill would allow public employees to form unions, collectively bargain, post information about unions at their employer's facilities, file grievances, and have far more agency in their working conditions. The bill includes higher education and charter schools. It would not exempt home-rule municipalities,

school districts, and local control that currently gives authority for officials such as public community college presidents to manage their own affairs.

The draft of the bill allows employees to join a union, but it is optional. An individual campus could be a bargaining unit, for example. The inclusion of higher education complicates the bill because Colorado's public colleges and universities have so many types of employees. They have classified employees who are already allowed to join Colorado WINS, the state employee union, the at-will employees such as administrators, and then the multi-tiered faculty comprising full- and part-time faculty (adjunct or contingent faculty).

If passed, the bill would be a game-changer for tens of thousands of part-time faculty throughout Colorado's 29 public colleges and universities.

The AAUP is behind the bill, as are the AFT, CEA, and the AFL-CIO. Please look for e-mails from AAUP Colorado in the coming weeks that will include links to petitions to sign and related materials to share in support of the legislation.

Notes:

State Sen. Stephen Fenburg (D-18), pictured above, of Boulder, attended the Univ. of Colo. and has served in the General Assembly since 2017. Contact: stephen.fenberg.senate@state.co.us
State Rep. Daneya Esgar (D-46), of Pueblo, pictured above, attended Colo. State Univ.-Pueblo and has served in the General Assembly since 2015. Contact: daneya.esgar.house@state.co.us

A message from Conference co-presidents



What an amazing 14 months it has been. We've now logged more than a year of hunkering down in full retreat from campus offices and colleagues since the pandemic set in. For many faculty the tasks and trials of delivering courses and conducting meetings in Zoom-world and Teams-sphere this past year have been unduly burdensome, time-devouring, and alienating, an invitation to disengaging in collective action and the core work of the AAUP. Yet we are pleased to report that, for all these travails, the Colorado Conference continued its important work on behalf of Colorado college faculty, logging important achievements over these long pandemic months. Not the least of these was winning access to unemployment assistance for community college adjunct faculty along the Front Range. Our AAUP community college faculty engaged Colorado working condition improvements for CCCS adjuncts. The Colorado Conference gained a new chapter at Colorado College and saw Colorado Mountain College's AAUP chapter formalize its chapter status and gain many new members. Denver University's chapter stood fast with students advancing a more inclusive campus identity. Colorado State University's Fort Collins AAUP helped re-elect an AAUP faculty advocate to chair its Faculty Council and continued its work to consolidate recent status, wage, and professional gains for non-tenure track faculty there. The Conference generated statements on how faculty should be treated during the pandemic and challenged Colorado College of Mines' efforts to re-write their faculty manual to facilitate the dismissal of faculty in the absence of a declaration of financial exigency. Conference leaders served on national AAUP committees and published informative articles in AAUPs *Academe* magazine and AAUP's *Academe Blog*. And these are just some highlights of our collective work over the course of the pandemic.

All these achievements, of course, entail the dedicated, voluntary effort of talented faculty committed to the advancement of AAUP's norms and principles supporting academic freedom, shared governance, and improvements to faculty working conditions in Colorado. As always, we AAUPers in Colorado are in this together. We salute you all and look forward to emerging from our respective cocoons to meet each other at our planned Shared Governance Symposium this fall.

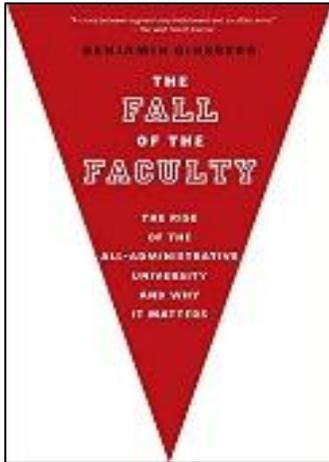
*Steve Mumme and Caprice Lawless
Co-Presidents, AAUP Colorado Conference*

DOL, AAUP report devastating impact of COVID-19 on higher education

In February the U.S. Dept. of Labor [announced that 650,000 jobs](#) had already been lost in the higher education sector in the previous 12 months. In March the [AAUP's 2020-21 Faculty Compensation Survey](#) revealed that real wages for full-time faculty decreased for the first time since the Great Recession, and that average wage growth for all ranks of full-time faculty was the lowest since the AAUP began tracking annual wage growth in 1972. After adjusting for inflation, real wages decreased at over two-thirds of colleges and universities. The number of full-time faculty decreased at over half the institutions surveyed.

In September 2020 the AAUP announced [an investigation of the crisis](#) in academic governance occurring in the wake of the COVID-19 pandemic. The investigation's initial focus was on seven institutions. The AAUP has received "numerous complaints from faculty members detailing unilateral actions taken by their governing boards and administrations to dictate how courses are taught, to suspend key institutional regulations, to reduce and close departments and majors, to compel faculty members to teach in person, and to lay off long-serving faculty members," said Gregory Scholtz, director of academic freedom, tenure and governance at the association.

Attend our Shared Governance Symposium, Oct. 2021



The Conference will hold our long-awaited, daylong Shared Governance Symposium in a few months, well into the Fall 2021 semester. Benjamin Ginsberg, author of *The Fall of the Faculty: The All-Administrative University and Why It Matters*. It will likely be held either at the University of Denver or at the Louisville Public Library.

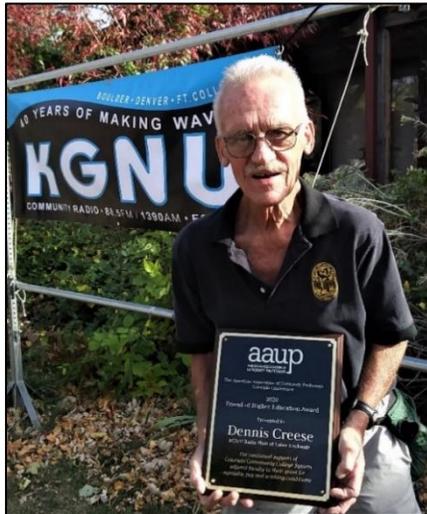


We will have copies of his book on hand for members to purchase.

Please watch your e-mail for an invite later this summer.

Pictured at left: The book and its author.

We give our Friend of Higher Education Award to KGNU Radio's Dennis Creese



The AAUP Colorado Conference named KGNU “Labor Exchange” Host Dennis Creese (pictured at left) the recipient of its 2020 Friend of Higher Education Award. Creese has interviewed leadership from the Front Range Chapter of the AAUP three times over the past three years. This has provided adjunct faculty an invaluable forum for speaking out on the unjust labor practices of the Colorado Community College System.

As a labor activist himself, Creese well understands the psychological injuries that workers like adjunct faculty endure. He understands that the CCCS faculty majority of adjuncts are underpaid, lack due process rights, and have no clear path toward secure, full-time employment in their chosen careers. When some of Colorado’s most disadvantaged students are taught by an army of weary adjunct faculty scraping by on wages below the poverty level, they see firsthand how pursuit of higher education might not be the path to their dreams after all. Through his research and interview techniques, Creese helps “Labor Exchange” listeners understand how difficult working conditions for faculty can have an adverse effect on student learning.

The AAUP has been fighting for equal-pay-for-equal-work for CCCS adjunct faculty for seven years now. Through his broadcast interviews with AAUP leaders he has helped them shape that success. The group has made a tiny bit of progress recently, as they have secured sick leave for adjunct faculty and partial unemployment when departments cut their classes. “For his contribution to that progress, and with profuse thanks, we confer upon Creese the 2020 Friend of Higher Education Award,” said Colo. Conf. Co-President Steve Mumme. “His is a valuable voice enabling our Conference to advance public understanding of the critical need to strengthen public investment in the community college faculty that deliver greater economic opportunity and professional advancement to Coloradoans statewide.”

AAUP endorses free college legislation that increases full-time faculty, draws them from adjunct ranks



As part of its push for A New Deal for Higher Education, AAUP has formally endorsed two potential paths toward increased funding for colleges and universities—and, we hope, more equitable policies to better serve faculty, staff, and students.

Senator Bernie Sanders and Representative Pramila Jayapal (pictured at left) reintroduced their College for All Act on March 21. This act would make college free for four years and greatly increase funding for programs that serve first generation, BIPOC, or low-income students. Crucially, it would require institutions to have 75 percent of courses taught by tenure-track faculty within five years. We're thrilled to see such strong support for well-paying tenure-track jobs in the bill and look forward to helping get College for All into the Biden administration's infrastructure plan.

Also, the AAUP has endorsed the reintroduction of America's College Promise Act (read more about the 2019 version of the bill), which would make community college free. While it does not go as far as the Sanders bill, it would require a "maintenance of effort" by states to prevent funding cuts in the event of a recession and would increase funding for programs at both two- and four-year institutions that serve first generation, low-income students.

We are planning a Mini-Innie in the mountains, July 2021



Picture yourself thinking about higher education at a higher altitude come summer. We will closely abide by all CDC guidelines during our miniature version of the multi-day national AAUP Summer Institute. We will gather for just a day and a half in Summit County AAUPeeps from both sides of the continental divide.

A morning workshop will introduce the *AAUP Redbook* and will include livestream with national experts on how to put the principles in it to work at your college. An afternoon session by Don Eron will teach participants how to use the book to write letters supporting/defending adjunct faculty, especially. Eron currently serves on the Colo. Conf. Executive Committee and has also served on the AAUP national Committee A. Before sunset, a short stroll on Dam Road trail will stretch legs and appetites, to be followed by dinner at the Dam Brewery. The Sunday morning session will be devoted to CMC leaders and faculty issues they face. It's shaping up to be a dam wonderful Mini-Innie.

AAUP joins AFT joins other allies in support of legislation recentering higher education as a public good



With the new administration and Congress come new opportunities to ensure significant, sustainable public investment in higher education. Declining state support, the erosion of tenure and shared governance, the increased use of contingent appointments, and the loss of the faculty voice on campus are threatening the core mission of higher education in our society. Now is the time to stand up for a just, inclusive system of higher education—one that can help transform our society. That's why the AAUP is joining with the American

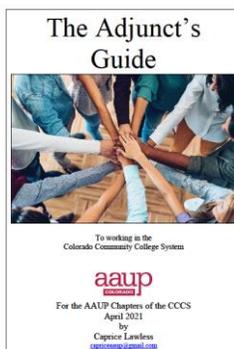
Federation of Teachers and other allies to push for a new deal for higher education. Our ambitious agenda centers on four main values:

- building prosperity from the bottom up;
- advancing social, racial, and economic justice;
- strengthening democracy and civil society; and
- fostering knowledge and innovation.

The New Deal for Higher Education platform will seek to recenter our public colleges and universities as a common good. In addition to addressing tuition costs, institutional funding, and student debt relief, we will pursue reforms related to racial injustice and inequities, labor practices, academic freedom and governance, federal research funding, technical and vocational education, and a host of other challenges that have diminished our national capacity to educate our communities.

Look for materials Colo. Conf. leadership will be sending for you, in turn, to pass along to your chapter members. The big push is to get as many as possible to endorse the plan by signing petitions in support of the bill, and by sharing the details with others in the wider community each Colo. Conf. member knows, via social media, word of mouth, and e-mail.

We publish *The Adjunct's Guide: Working in the CCCS*



To help the faculty majority in the Colo. Comm. College System connect the deeply obscured dots, the new, 34-page handbook explains 24 unanswered questions about Colorado's largest, mysterious, and most financially secure institution of higher education.

The first-of-its-kind *Guide* is available at no cost, to download online through the AAUP Colorado Conference website:

<https://coloradoaaup.org/>

Colorado Conference Chapter News

An assortment of chapter news from around the state

CU Boulder: The CU-Boulder chapter continues its case work with all faculty who request assistance, frequently with successful results. Chapter members are also active producing editorials and statements, for the edification of the faculty as well as the administration, detailing the AAUP philosophy on Academic Freedom.

— *Chapter Vice president Don Eron*

Colorado College, Colorado Springs: Colorado College AAUP had its chapter charter approved by the national AAUP in April. Chapter formation began in late fall 2020 in response to signs of possible faculty downsizing by the administration in the absence of a declaration of financial exigency. The newest chapter of the Colorado Conference has already attracted over 50 faculty members. Professor Eve Grace is chapter president.

Fort Lewis College, Durango: The FLC AAUP, the Faculty Senate and young untenured professors helped bring to light faculty and exempt staff salary issues. These issues included inversions, compressions, adjunct wages below the living wages, and salaries lower than the peer targets. These issues have been present for many years at FLC. Our administration recently created a proposal on how to address the FLC salary compression issues that the AAUP supported. It clearly identified how compression and inversion issues will be addressed. However, given the difficulty with hiring in certain subject areas, AAUP suggested that the college rethink the current salary model being used. AAUP members believe that FLC should find a system that works across campus and that our adjunct salaries be an important part of the discussion.

— *Chapter president David Blake*

Colorado State University, Fort Collins: The CSU-FC chapter continues to monitor and support the progress of non-tenure track faculty under recent reforms incorporating multi-year contracts, professional advancement, and inclusion in shared governance forums on campus. The campus chapter has weighed in on the transfer of faculty employed with CSU's former INTO Global foreign student recruitment/preparation operation—to the Office of International Programs where they continue to be excluded from representative faculty bodies. It is currently supporting an effort by graduate students (the Graduate Workers Organizing Cooperative) to gain wage increases (larger graduate assistantship stipends and the elimination of fees).

— *Chapter president Mary Van Buren*

University of Denver: DU AAUP has championed two primary causes this year so far – addressing white supremacy on campus and improving the working conditions of the most vulnerable faculty, adjuncts and visitors. In terms of addressing white supremacy, we have submitted a motion in the faculty senate to retire the university's offensive Pioneer moniker, in support of student demands. With respect to improving working conditions for adjuncts and visitors, we have supported the Contingent Faculty Organizing Committee in direct demands to

the administration, building organizational power and leadership, and working through faculty senate to secure better pay and job security and participation in shared governance.

— Chapter president Aaron Schneider

AAUP Chapters of the Colo. Community College System:

Meetings with Administrators: FRCC Chapter President Melinda Myrick initiated an ongoing series of meetings over the past few years with System Vice Chancellor Landon Pirius and Executive Vice Chancellor Diane Duffy. Sometimes System Chancellor Joe Garcia joins us. The casual confabs grew more focused once we created a formal AAUP proposal for needed reforms in regard to adjunct faculty. Our proposal includes: 1) a phased-in pay raise to all adjunct faculty, consistent Tier Pay assignment across the colleges for adjuncts who teach at various colleges, and the establishment of two- and three-year renewable contracts; 2) paid time to serve on college faculty senates and on faculty committees; and 3) the creation of two full-time positions in each department, drawing from the adjunct faculty ranks. Progress on our proposal has been slow, but the ability to meet with administration directly has been promising.

Unemployment Benefits: We were the only college system in the country we know of whose system chancellor formally announced that the system would not fight unemployment claims adjuncts made who lost classes the summer 2020 term due to the COVID-19 pandemic. This was a game-changer, as it qualified many for the few hundred dollars a week in partial unemployment under state guidelines, as well as the \$600/week federal Pandemic Unemployment Assistance through the end of July 2020. He extended that same gesture for fall 2020, and, once again, that saved adjunct faculty who are paid below-poverty-level wages as it is. Accordingly, we spread the word via press releases and [held an Unemployment Zoom](#) to help peers navigate the Colo. Dept. of Labor and Employment application process for unemployment benefits.

Tsunami of funds: We discovered, through [a searchable database](#) *Inside Higher Ed* published in December, that the CCCS had already received several million dollars from the 2020 CARES Act, \$79 million from the Coronavirus Relief Supplemental Appropriations Act of 2021, and was about to receive another estimated \$79 million from the American Rescue Plan Act of 2021. These funds represent a 35% bump from 2020's operating revenue. None of that news had been shared with any of us, nor with the press that we could see, so we put the word out on that through [a press release in March](#). Of course, we quickly organized a spreadsheet that we sent to System Chancellor Garcia, showing how he could use some of those unexpected funds to assign bonuses to all full- and part-time faculty. We have no word back on that, though, at the time of this report.

Intellectual Property Workshops: We were lucky to snag Sherry Jones of the CCD chapter, and Jane Fraser and Jonathan Rees of the CSU Pueblo chapter as presenters for our Intellectual Property Zoom we held in the fall. It was well-attended and inspired a Zoom Intellectual Property [Watch Party](#) with the national AAUP Community College Committee.

— Chapter presidents Melinda Myrick, Mark DuCharme, and JoAnn McCarthy

COLORADO CONFERENCE PANDEMIC STATEMENT

Protecting Colorado Faculty Throughout the Pandemic

*A Statement by the Colorado Conference
of the American Association of University Professors*

As Colorado's universities and colleges ponder the risks and rewards of opening their campuses this fall in the midst of the continuing pandemic, the prospect of renewing normal or even semi-normal campus operations promises to place faculty squarely in the cross-hairs of that risk. It does not require any stretch of the imagination to understand that our classrooms, labs, libraries, and cafeterias and other common gathering spaces are petri dishes for community spread of the CoVID-19 virus.

This reality poses numerous dilemmas for faculty, some medical, some situational, some legal. On the medical side it remains uncertain as to whether our Colorado campuses will be supplied with adequate testing, contact tracing, and professional protective gear (masks, gloves, sanitizer, etc.) essential to establishing a safer environment for faculty and students. Inasmuch as some faculty are known to be at higher risk of infection, will they have pedagogical options adequate to their circumstances?

Legal questions abound. Are faculty teaching face-to-face liable for enforcing social distancing guidelines? Will faculty be found negligent if a student can establish an infection connection to returned paper assignments, even if the faculty member or a teaching assistant handling the material was asymptomatic or unaware of their illness?

The complexity of classroom situations arising from the pandemic is troubling. Can you have meaningful discussions while everyone in class is wearing a mask—assuming they are? What happens if students refuse to wear masks? How are safety precautions to be enforced in the classroom? And will students even show up for classes taught in this unconventional fashion?

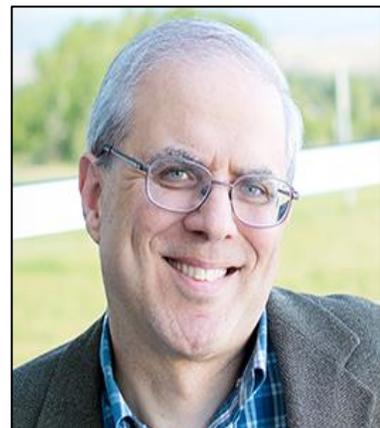
With these factors in mind, the Colorado Conference of the American Association of University Professors, echoing and endorsing guidelines already issued by AAUP's national office, issues the following set of guidelines to protect faculty for the duration of this crisis.

- Respecting norms of shared governance long championed by the AAUP, it is imperative that faculty on each Colorado college campus play a leading role in determining rules and practices governing pedagogy at their institution in this time of pandemic, including matters affecting the health and safety of faculty in the conduct of their pedagogical duties.
- Any resumption of face-to-face, on-campus instruction without a widely available, effective vaccine for CoVID-19 must be accompanied by social distancing, essential sanitary measures including protective gear deployed in the classroom and comprehensive regular testing of students and faculty throughout the instructional period.

- Faculty must have the option of teaching remotely or on-campus throughout this time of pandemic so long as a reliable vaccine is unavailable. We note that Colorado Governor Jared Polis' guidelines forbid employers from requiring that vulnerable and at-risk employees return to place of work as usual throughout the pandemic. We agree. But we would extend this protection to all faculty.
- As administrations open their campuses to face-to-face instruction, those faculty returning to normal in-class, in-laboratory, or tutorial instruction and advising must be granted greater authority to enforce safety and security disciplines in the classroom consistent with institutional policies and guidance. If such faculty believe they are at risk from classroom conditions they should have the option to revert to remote instruction.
- Faculty teaching or conducting research involving instruction on-campus must be shielded by their university or college from torts claiming instructional negligence related to the communication and transmission of viral infection.

Endorsed and promulgated by the Colorado Conference of the American Association of University Professors on May 10, 2020, Boulder, Colorado.

Thank you to our AY 2020-21 Intellectual Property and Copyright Workshop presenters



Just as the academic year began, three of the Conference's high-tech experts shared the lowdown in two Conference Zoom workshops to help faculty protect their intellectual property rights. Presenters in the community college workshop and then the statewide Conference workshop were Sherry Jones (left), of our Community College of Denver chapter (who also teaches at the Rocky Mountain School of Art and Design), Jane Fraser (center) and Jonathan Rees (right), both of our Colo. State Univ. Pueblo chapter.

Attendees received a concise overview of intellectual property rights, copyright laws, and AAUP policies on the issues. The presenters showed how to copyright intellectual property using

web tools. They covered the pertinent creative commons licensing details. Faculty learned that creating their own websites can be useful, then how to post videos, and how to create short-term links to use in syllabi and lecture notes to students. Presenters shared some apps and other tools to house and securely store intellectual property in the cloud.

The workshop was timely as the COVID-19 pandemic had so radically changed higher education almost overnight once quarantines were enacted to prevent spread of the deadly virus. Consequently, the nation's higher education faculty were forced to teach – and students forced to learn – via Zoom, WebEx and other online conferencing tools. Many faculty may have compromised their intellectual property rights unwittingly as they rushed, in good faith, to post materials on various learning platforms to meet student needs.

Conference letters issued since March 2020

Available on the [Colorado Conference Website](#)

- Colorado School of Mines
- Colorado Mountain College
- [University of Colorado at Boulder \(John Eastman\)](#)

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