

THE NUFA NEWS

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PLUS, A NEW EDITION OF:
ASK THE "ACADEMIC"
ADVISOR!

MESSAGE FROM THE EXECUTIVE

Is the Senate Structure Working? Reclaiming the "Academic" in Academic Governance

On January 14-16, 2011, NUFA President Todd Horton and Vice-President Gyllian Phillips attended a Canadian Association of University Teachers (CAUT) President's Forum in Ottawa. In a jam-packed agenda that touched on issues related to diverse memberships, workload, leadership succession and Association renewal, increasing Association visibility and political effectiveness, and analyzing university budgets, one session was of particular interest: academic governance.

The session began with a slide that stated "Academic staff should have the dominant voice in academic decision-making". It was a startling declaration of principle that many of us felt was not the current reality at our home institutions and hadn't been for a long time. Yet, we all had a sense that the statement "made sense". If you examine the evolution of Canadian universities, you'll discover that the bicameral nature of university governance began with the Flavelle Commission of 1906. Boards of governors were to focus on financial and administrative issues, while academic senates were to oversee academic issues. Henceforth, all universities structured themselves accordingly and older universities (save the University of Toronto) retroactively restructured themselves. Almost immediately the potential overlap was readily apparent, and under the guise of needing "flexibility" to financially and
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BREAKING NEWS FROM THE GRIEVANCE DESK.....

"Head's up....duck!"

Dear Members,

Thought you should all know that there's a new game in town. The Nipissing University Administration has crossed the tenure denial threshold for the first time in our history, and not with one but with two denials and a deferral. For you, our Members, this is as serious as it gets. While promotion denials can deeply compromise us professionally and personally, when it is all boiled down, their implications are of a different order. Remember, tenure denial is the equivalent of being fired, and short of a disciplinary dismissal, there is no more serious action that can be taken against faculty in the university sector. As your association representatives, we are committed to protecting all of our collective interests and to fulfilling our responsibility to fair representation. Because of the point at which each of these denials and the deferral have taken place in the Tenure and Promotion process—they proceeded satisfactorily through and beyond the peer based committee processes—if we are to grieve under the terms of the Collective Agreement, we must go to the University Review Appeals Board (URAB), an external arbitration panel! This will be a long and expensive process for the association so you can just imagine how difficult it will be for the Members whose careers have been put on the line. We will keep you posted as this process unfolds, and as always, we appreciate your support as we move forward in building our cases to defend our Members and our Collective Agreement!

The Grievance Team

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administratively govern the institution, senior administrations began to flex their administrative muscle and “management right” to “position” senates as a minor inconvenience, easily managed with make work projects and endless discussion that people tire of leading to the support of administrative motions because, as the presenter stated, “it is assumed administrations have the time and experience to holistically know what’s best for all of us”.

Consider the following by Thorsten Veblen (1918) who observed in his book *The Higher Learning in America* that faculty of a well administered university are organized into “the many committees for the-shifting-of-sawdust... These committees being in effect, if not in intention, designed chiefly to keep the faculty talking while the bureaucratic machine goes on its way under the guidance of the executive and his personal counsellors and lieutenants.” (p. 186). Veblen’s critique is not a rebuke of senators and committee members who honestly offer their service to the university and genuinely try to live up to their senate or committee mandate, but it highlights the disjuncture that can happen when academic decision-making begins to rest predominantly in the hands of university administrations.

What does this mean for us at Nipissing University in 2011? There is no question Members have a right and *responsibility* under the collective agreement to “accept a fair and reasonable share of the governance and decision-making workload at the University, including active participation on appropriate bodies, in particular academic units, School, Faculty, Senate, Board and other University committees” (Article 18.4 (b)). It is also acknowledged that “Members have the right to speak intramurally and extramurally, including the right to *freely* express their opinion(s) about the University and its administrators, the government of the day, or society at large” (Article 17.6 (a)). However, we all know that we can have legal rights but the reality “on the ground” can, unfortunately, be quite different. That said, with knowledge, professionalism, and courage these rights can serve us well and, in the end, make Academic Senate and its supporting structures (i.e., academic units, faculty councils, and committees) work better.

The CAUT presenter had a number of suggestions that may be instructive for us. Hopefully, it is a revisiting and revitalizing of things we already explicitly or implicitly know. First, **do not** abandon academic senate and its supporting structures. As frustrating as they may sometimes be and as much as you may feel they are not working well, senates and their supporting structures are still widely supported by faculty members in theory and viewed as an important forum for discussion of important issues. Indeed, there are some issues that can only be dealt with in the senate structure. Instead, find ways to revitalize a sense of “civic” duty and the participation of academic staff in their governance structures. Some possibilities are:

- Learn **the rules**. Knowledge is power and knowing how to navigate procedures can prove effective.
- Read the **Nipissing University Act** (posted on the university website at https://www.nipissingu.ca/board/board_act.asp).
- Learn how **Senate** is situated vis-à-vis the Board of Governors.
- Learn the **Senate By-laws** (https://www.nipissingu.ca/board/board_bylaw.asp)
- Learn the **committee structure** and their **terms of reference**.
- Learn the **faculty council constitutions** and **associated by-laws**.
- Learn the **departmental/divisional/school procedures**.
- Ensure **the rules are followed**. Disregard for the rules is unacceptable and should be addressed. Continual and flagrant disregard for the rules should be sanctioned forcefully. It is one thing to disagree with the rules and everyone has a right to initiate changes to the rules, but while they are in place they must be followed. It’s the basis of coherent governance.
- Convene **meetings**. While most people cringe at the thought of meetings, Departments/Divisions/Schools, Faculties, Senate and Senate committees must gather to conduct their work. Not convening meetings is an often-cited tactic used by administrations to permit the bureaucratic machinery to chug along unopposed and unaccountable. The NUFA Collective Agreement has minimum requirements for departments/divisions/schools while faculty constitutions and senate by-laws have their own minimums as well. If a particular decision-making entity is not being convened chairs need to be held to account/sanctioned. If you get stymied at one level push it up the chain until it’s in the most public of fora. Never let yourself be silenced in this way.
- Place **items on meeting agendas** for consideration and discussion. If you never initiate the discussion you’ll be in constant reactive mode. If you believe in something, own it and see if others agree with your views/ideas or not.

- **Table and pass motions.** Not every motion has to be to change something (i.e., course code). Sometimes it can be a simple declaration of the view of a department/division/school or faculty on an issue. **Discuss it and vote.** Motions pass or fail, but if they are never initiated you never, save anecdotally, know how others feel about issues and to a certain extent administration never knows how we feel either. We need to send info up the pipeline as well as receive it down the pipeline.
- **Follow up.** Too often administrations and faculty members drop the ball on particular items/issues. If it matters enough to discuss, record, or pass a motion, it matters enough to ensure the job is completed satisfactorily. Designate someone to read the minutes and ensure follow through is indeed happening.
- **Prepare for meetings.** Many university faculties have pre-senate or pre-faculty council meetings of constituent faculty members. Like the U.S. Congressional Black Caucus or the Canadian Parliamentary Women's Committee, constituent groups often come together to share information, discuss issues of relevance and, yes, form alliances to help ensure motions are passed. As one CAUT speaker said, "you're naïve if you think the administration isn't meeting prior to form a united front".
- **Learn your university's policies.** Most academically relevant policies come through senates for approval but increasingly they are not. Administrations are passing them at Executive levels. Refute this at every turn. This is an "out of sight, out of mind" tactic that carries the "force of law" within the university. Ensure academics have an opportunity for input in these areas.

Second, look to the university elders for guidance. Frequently junior faculty members intuitively know things are askew but are unsure what to do about it. Consult with more senior faculty who have historical memory and experience on their side. They also have tenure and are more apt to speak out on sensitive or controversial issues.

Third, the CAUT presenter encouraged the consideration of the ways academic governance rights can be solidified and strengthened through collective bargaining. Academic matters sometimes have a "terms and conditions of employment" component which is the purview of collective agreements. Use this avenue to best advantage.

Finally, initiate and embrace opportunities to work in genuine partnership with the administration. They do have the challenging task of balancing finance, administration and academic matters. But genuine partnership should not be interpreted to mean the disregarding of our governance rights and citizenship duties or substituting feigned deference for spirited engagement. It means we should expect better than average from each other, it means supporting each other where information and evidence suggests it wise to do so, and it means questioning, critiquing and opposing where the information or argument is less than compelling. **Collegiality** does not mean 'being friendly'; rather it is the authentic engagement of the collegium in fulfillment of its mandate.

Todd Horton, NUFA President



Although only elected Senators are permitted to propose motions and vote during Senate, ALL members of the University community are welcome to attend Senate and can ask questions or express concerns.

The next Senate will be held on Friday, March 11 at 2:30 in the Fedeli Room (F 210).

Corporatizing the University: News from Ontario Confederation of University Faculty Associations (OCUFA) and Canadian Association of University Teachers (CAUT)

As the NUFA representative on both CAUT Council and OCUFA Board of Directors, I have noted some significant recurring themes between both umbrella groups. In every venue—member concerns, position and policy, advocacy activity or information and training—the discussion comes back to the corrosive effects on *the academy of corporatization*. In the Fall CAUT Council meeting (November 26-28, 2010), a presentation by Executive Director, Jim Turk used the disturbing examples of public universities in Texas to show how oil corporations have co-opted independent research and seriously undermined academic freedom. Though Canada has yet to experience this level of engagement from the private sector, we've seen some isolated examples of major donors influencing the academic and governance agendas. At the most recent OCUFA Board meeting February 12-13, 2011, the Minister of Training Colleges and Universities came for a question and answer period during which he reiterated the government's desire for universities which are "sustainable" (low investment of tax dollars and high tuition), "efficient" (more students, fewer professors), and "accountable" (less faculty-governance of academic decisions). The Liberals are attracted by many of the suggestions of HECQO, including the idea of university differentiation. As the minister said, "why have ten faculties of medicine when we could have only one for the province?" From the other side of the fence, the Assistant Executive Director of OCUFA, Mark Langer, presented a discussion paper on accountability, noting that academic staff are some of the most evaluated and scrutinized members of the university, perhaps of most professional communities. However, there are few mechanisms to assess the effectiveness of university administrations in the top-down corporate model that seems to be becoming the norm around the province.

Canary in the Coal Mine: The Harris Learning Library

To see how the academic side of the university is eroded by the scramble for money, we need look no farther than our own library. One of the final items of business at the OCUFA meeting was a presentation of a survey of academic librarians across the province which clearly showed the trend elsewhere, as here, towards turning libraries solely into a "student service" removing them from their role as an academic foundation for the university. Academic librarians spend increasing amounts of time on "outreach" and marketing, and they report budget reductions in print collections, while administrative costs, office space, and student study space expand. Overall, 76% of librarians surveyed are excluded from most major decision-making.

At Nipissing, over the last few years, the academic value of the library has been eroded on almost every front—from donor agreements, to governance, to collections. Perhaps most symbolic was the naming of the library after a former Ontario premier in exchange for a fraction of the total cost of the building, without any consultation of the primary users of the library, students and faculty. Indeed, this decision could prove to be costly in the long run since it may be one of the contributing factors to our 5% drop in applications. In addition, Nipissing's move of the library governance from the VPAR to the Chief Operating Officer contributes to the devaluing of the academic mission of the library, and by extension the university, through the implication that libraries are non-academic, just so much information to be managed. At OCUFA, many of the Directors expressed strong concern over this decision and urged Nipissing faculty to speak out against it. Finally, and perhaps most disturbing, is NUFA's recent confirmation that in December the Presidents of Nipissing and Canadore struck an agreement to expand student space in the "Learning Centre" and thereby reduce space for collections. This change in the space allocation means that any significant increase in print collections is impossible, since it gives the new library only 3% more room for books. Students are desperate for more study space, so no one would begrudge them that; however, they are just as eager for a better book collection, and sadly, they won't be getting it. Once again, this crucial academic decision has been made without any consultation with the academic side of the Nipissing house which includes the senior library staff, faculty and students.

As the research done by OCUFA and CAUT shows, libraries truly are the universities' canary. The threat to the academic integrity of the library is a threat to the fundamental values of education and scholarship which we are committed to maintaining. As an Association, we need to ask some tough questions about our university's tangible support for the library, and we need to reinforce our right and responsibility to participate actively in academic decision-making.

Gyllian Phillips, NUFA Vice-President

The New CASBU Agreement: Signed, sealed, and to be delivered soon!

After nearly six weeks of careful revision and painstaking editing, the new CASBU collective agreement has been signed by both parties and is being prepared for distribution to the membership. This culminates a process of over eighteen months of devoted work and effort by members of the Collective Bargaining committee, the NUFA executive, and staff.

The highlights of the deal are as follows:

Duration: 01 May 2010—30 April 2014

Scale increases: 01 May 2010, 1%; 01 May 2011, 1%; 01 May 2012, 2%; 01 May 2013, 2%.

Market adjustments for part-time stipend (added to the scale increase): 01 May 2012, \$250; 01 May 2013, \$304

Right of First Refusal: A new RFR system was negotiated which will see members achieve RFR status automatically (no need to apply to hold this right) after teaching the same course three times, (as long as the Member's first contract to teach any Nipissing course was made 36 months previous). In other words, if you taught the same course three times and your first appointment was made at least 36 months ago, you should automatically hold right of first refusal status. This means that the course should be offered to you before it is offered to any other CASBU member. RFR status also includes a \$200 or \$400 premium for teaching a 3 credit or 6 credit course respectively. It also entitles the member to have a 2% contribution to an RSP plan matched by the university.

Full-time Contracts: Full-time instructors will move to "continuing contracts" which replace the old system of three and four-year contracts. What this means is that contracts will continue as long as the position continues. In order to achieve this gain the bargaining team also agreed to work with the administration over the coming months to develop a fair and equitable annual evaluation process. Part of that process agreed to at the table includes the annual submission of a teaching dossier (new Article 15.4). NUFA will hold a workshop to update full-time instructors on what is required in the teaching dossier.

Full-time Workload: Workload for full-time members has been reduced from 14 to 12 hours per week of scheduled teaching. Overload payments apply to any hours in excess of 24 when the hours per week for the fall and winter semesters are added together.

Professional Development Fund: The annual Professional Development fund has been increased from \$10,000 to \$15,000. Part-time members are eligible to apply for these funds when they have taught 18 credits since May 1, 2007, or have achieved RFR in a course.

These are the main highlights of the deal – we encourage you to get to know the agreement better, and if you have any questions at all about your rights and responsibilities under this collective agreement, please contact Joe Boivin, the CASBU Officer, or Angela Fera in the NUFA office.

Retroactive pay: Full-time instructors will have noticed that the retroactive pay to 01 May 2010 was added to their February pay. This payment included only the 1% economic increase, as well as moving one step on the salary grid. Human Resources reports that it is working diligently to calculate the economic increase for part-time instructors, as well as premium payments for anyone who achieved RFR starting on 01 May 2010. These payments should be included in either the March or April pay cycles. If you have any questions about the calculation of your retroactive pay, please contact the Human Resources Department. Members may request a written record of their retroactive pay calculation.

Mark Crane, Chief Negotiating Officer, CASBU

Ask the “Academic” Advisor....

The “Academic” Advisor answers questions related to professional academic life, providing unparalleled advice and unassailable wisdom. Please send your questions to nufaoffice@gmail.com.

DEAR “ACADEMIC” ADVISOR:

We seem to live in an age of “accountability” in which we justify outcomes, identify strategies, and plan obsessively. So why do I feel that actual academic standards are declining?

STUDIOUS READER,

This is a sad but true story. Once upon a time, a small group of impulsive people was foolhardy enough to discuss “the state of education” within ear-shot of a government policy maker. That policy maker hurried back to his lair and, not long afterward, the government of the day responded by establishing a Council for the Restoration of Accountability and Preparedness in Education (or CRAP in Education, for short). Education, it was announced, would become *accountable* by turning its attention to *preparing* students. Thus, the point of kindergarten became to *prepare* students for elementary school which, in turn, had as its purpose the *preparation* of students for secondary school. The point of secondary school, of course, became to *prepare* students for undergraduate education, the purpose of which, naturally, became the *preparation* of students for graduate or professional school. Only consider the brilliant elegance of this formulation: it sounds comprehensive and, indeed, it is – at one stroke, virtually every level of education was deemed to have no value whatsoever in and of itself; the education for which students were being prepared was almost endlessly deferred, and so one’s accountability could kick in only when one could no longer be accountable. I must say, the dark side of the “Academic Advisor” is moved to something approaching admiration, though he compassionates those who toil at the end of the accountability line in graduate and professional schools. [NOTE: “Academic” Advisor is not my real name, so I cannot be held accountable for this reply.]

DEAR “ACADEMIC” ADVISOR:

What’s going on? As far as I know, Academic Senate has not voted against 3-hour classes, and as far as I know Academic Senate has not voted against 6-credit courses. But we now seem expected to come up with some special rationale if we want to offer a 3-hour class or a 6-credit course, as if we hadn’t already seriously thought about what’s best for our programs. What’s up?

STUDIOUS READER,

The “Academic” Advisor is sorry to say this, but he admits to being flummoxed by your question. Are you suggesting that experts in a given field with years of teaching experience should themselves decide how their programs are delivered? Extraordinary! Singular! Now, there is no one who could be a greater advocate for Radicalism, in its proper place, than the “Academic Advisor,” but are you seriously asking him to believe that people who have been vetted all through their education, vetted in their comprehensive exams, vetted in the granting of the Ph.D, vetted in the hiring process, vetted in the granting of tenure and promotion, vetted annually by their Deans in yearly reviews, vetted by every journal to which they submit an article, vetted by the publishers who print their books, vetted by the organizing committee of every conference at which they present, and vetted constantly by their students are qualified to make decisions? How can we be confident such people actually *know* anything? Don’t you feel that, at some point, there ought to be some sort of vetting process? Surely your conscience must tell you so. How else are we to ensure accountability and preparedness in education?

Announcements from the NUFA Office

Please check your e-mail for monthly NUFA Reminders of Deadlines that faculty should take note of regarding information they can expect from the administration, and information they are required to provide, as outlined in the respective Collective Agreements.

For internal mail, NUFA now has its own locked mailbox outside the NUFA Office A239. After hours, documents faculty or students have for us can reach us directly.

For information, NUFA now has two bulletin boards on the second floor of the A wing. One has information/articles for faculty (e.g. NUFA News, bulletins, OCUFA reports, etc.), the other has information for students (e.g. deadlines for Textbook Bursary Awards, Learning Opportunity Awards, relevant articles, etc.)

Lastly, and very importantly, I have been receiving questions regarding the Tenure and Promotion process. Faculty can check details in the Collective Agreement on the NUFA website www.caut.ca/nufa and print off a copy of the Tenure and Promotion Deadlines (in brief). Copies of this document are also available outside the NUFA Office, A239. To begin, the following are very important dates in the Tenure and Promotion process:

May 1 to June 30 - Candidates advise Dean that they will be applying for early tenure and/or promotion (Section 1.7 g)

July 10 - Candidates submit names of six external referees to Dean (Section 1.8 a, b)

May 1 to July 15 - Candidates may have access to the dossiers of previously successful candidates contained in the RFTP (Section 1.27 c)

July 20 - Deadline for the submission of six copies of their dossier to the office of the relevant Dean along with responses to teaching evaluations (Section 1.9)

Please see the complete details in Appendix L of the Collective Agreement—Tenure and Promotion Procedures and look for a NUFA sponsored workshop on Tenure and Promotion this spring.

NUFA Annual GENERAL MEETING

Come and take a stand!

May 4, 2011 at 1pm

The Fedeli Room

(F 210)



CALL FOR NOMINATIONS TO THE NUFA EXECUTIVE

As required under Article 6.3 of the NUFA Constitution, Executive Members hold their position for a period of one year. Each year at the Annual General Meeting (AGM) elections are held. NUFA is extending a call for nominations for the following positions:

President; Vice-President; Treasurer; Grievance Officers; Contract Academic Staff (CASBU) Officer; Member-at-Large, Arts and Science; Member-at-Large, Education; Member-at-Large, Applied and Professional Studies, and Member-at-Large, CASBU.

We also have a number of standing committees:

Communications; Constitution; Scholarship; Social; and Women's.

We also have a number of joint university committees in which NUFA sends representatives:

Benefits and Pensions; Health and Safety; Harassment and Discrimination

If you are interested in standing for any of these positions, please have a member submit your nomination to me via the Assistant to the Executive, Angela Fera at nufaoffice@gmail.com. If you'd like to nominate a fellow Member, ensure they are willing to stand for the position.

It is vitally important we continue to have Association renewal. Please considering including NUFA as part of your service component to the university.

The Annual General Meeting (AGM) will be held on **Wednesday, May 4, 2011 at 1:00 pm in the Fedeli Room F210** on the North Bay campus. Videolink to Bracebridge and Brantford will be provided (Details forthcoming).