

## Brooker Intellectual Diversity Bill Dead—For Now

By Keith Hardeman, MOAUP President

The Emily Brooker Intellectual Diversity Bill (see page 2 for full text), sponsored by Rep. Jane Cunningham (R-Chesterfield), died last May on the Senate Informal Calendar. Had this legislation passed, political standards would have been imposed in the classrooms of Missouri's public colleges and universities.

A clone of David Horowitz's equally misnamed Academic Bill of Rights, the Brooker Bill would have put unsubstantiated (or, in some cases, factually discredited) opinions and perspectives on a level playing field with mainstream disciplinary information, evidence, and logic.

Science departments could have been mandated to give equal time and assessment to creationism (and its factually inaccurate assertion that the earth is only 6000 years old) as a plausible scientific alternative to evolution, cosmology, and thermonuclear dynamics. The content of environment courses would need to include the notion that global warming has no relation to human activity, which, again, goes against the vast consensus of the world's credible science community.

History professors might have had to entertain the idea that the Holocaust never took place. In many

**"Science departments could have been mandated to give equal time and assessment to creationism (and its factually inaccurate assertion that the earth is only 6000 years old) as a plausible scientific alternative to evolution."**

cases, we could have been in the position of having to evaluate students based as much on their own religious and political points of view as on substantive course material. Therefore, the bill that Rep. Cunningham claims would remove politics from the classroom would, in reality, guarantee the opposite effect. The above scenarios could still happen.

The fight to maintain academic standards in Missouri is likely not over. Since the Brooker Bill passed the Missouri House by a 97-50 margin, do not be surprised if Representative Cunningham or others follow up with more

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*From Lincoln University*

## Carolyn Mahoney Receives AAUP Ralph S. Brown Award

by Nancy F. Browning

The AAUP's Ralph S. Brown Award for Shared Governance was presented to Carolyn R. Mahoney, President of Lincoln University of Missouri, at its 92<sup>nd</sup> Annual Meeting in Washington, D.C., June 9, 2007. Rather than being presented annually, the award, established in 1998 in memory of Ralph S. Brown, is only given when deserved to American higher education administrators or trustees "in recognition of an outstanding contribution to shared governance."



Lincoln University President Carolyn Mahoney accepts the Ralph S. Brown Award for Shared Governance at the AAUP annual meeting in Washington, D.C.

While presenting the award, Professor Gregory Scholtz, chair of the AAUP's governance committee, told of "eloquent letters sent by Lincoln faculty and staff, who expressed their heartfelt gratitude for the steps that President Mahoney has

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**Text of Brooker Bill**

FIRST REGULAR SESSION

**HOUSE BILL NO. 213  
94TH GENERAL ASSEMBLY**

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INTRODUCED BY REPRESENTATIVE S CUNNINGHAM (86) (Sponsor)  
AND RUESTMAN (Co-sponsor).

Pre-filed January 2, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0462L.03I

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**AN ACT****To amend chapter 173, RSMo, by adding thereto one new section relating to intellectual diversity.**

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be known as section 173.057, to read as follows:

173.057.

1. The provisions of this section shall be known and cited as the "Emily Brooker Intellectual Diversity Act". As used in this section, "intellectual diversity" is defined as the foundation of a learning environment that exposes students to a variety of political, ideological, religious, and other perspectives, when such perspectives relate to the subject matter being taught or issues being discussed.
2. The coordinating board for higher education shall require each public institution to report annually to the general assembly detailing the steps the institution is taking to ensure intellectual diversity and the free exchange of ideas.
  - (1) The report required in this subsection shall address the specific measures taken by the institution to ensure and promote intellectual diversity and academic freedom. The report may include steps taken by the institution to:
    - (a) Conduct a study to assess the current state of intellectual diversity on its campus;
    - (b) Incorporate intellectual diversity into institution statements, grievance procedures, and activities on diversity;
    - (c) Encourage a balanced variety of campus-wide panels and speakers and annually publish the names of panelists and speakers;
    - (d) Establish clear campus policies that ensure that hecklers or threats of violence do not prevent speakers from speaking;
    - (e) Include intellectual diversity concerns in the institution's guidelines on teaching and program development;
    - (f) Include intellectual diversity issues in student course evaluations;
    - (g) Develop hiring, tenure, and promotion policies that protect individuals against viewpoint discrimination and track any reported grievances in that regard;
    - (h) Establish clear campus policies to ensure freedom of the press for students and report any incidents of student newspaper thefts or destruction;
    - (I) Establish clear campus policies to prohibit viewpoint discrimination in the distribution of student fee funds;
    - (j) Develop methods for disseminating best practices to ensure that conflicts between personal beliefs and classroom assignments that may contradict such beliefs can be resolved in a manner that achieves educational objectives without requiring a student to act against his or her conscience;
    - (k) Eliminate any speech codes that restrict the freedom of speech; or
    - (l) Create an institutional ombudsman on intellectual diversity.
  - (2) The report shall be distributed to the members of the general assembly no later than December thirty-first of each year, beginning in 2008.
  - (3) The report shall be posted on each public higher education institution's web site.
3. Each public higher education institution shall ensure that students are notified that measures to promote intellectual diversity are in place and how to report alleged violations of policy.

## 2007 Annual Meeting Highlights Higher Education Funding, Tenure, and Contingent Faculty

Despite generally inclement weather in St. Louis on February 24, the Missouri Conference held its annual meeting in conjunction with the St. Louis Association for Contingent Faculty. The meeting, held at Webster University's new Emerson Library, drew over forty participants from across the state.

### Senator Rita Days Discussed MoHELA and Other Current Issues in State Higher Education

State Senator Rita Days provided an informative opening talk that focused on state-funded higher education. A member of the Senate Education Commit-



State Senator Rita Days discussed funding in higher education

tee, Days offered a "report card" on higher education in Missouri. Despite the investment of a significant proportion of the state budget in higher education, she said, a college education was simply too expensive for many families. While tuition continues to rise, state funding for scholarships and grants has not kept pace. Many institutions, Days said, have added significant incidental fees to meet the costs of salaries and technical advancements.

Senator Days discussed pending state legislation that could assist families in paying for college and, at the same time, lower the overall costs to the state. Senate Bill 389 (signed into law in May) concerns the Missouri Higher Education Loan Authority (MoHELA), a fund that provides low-interest college loans to state residents. The bill allows the sale of assets to provide capital funds for state

schools and, in addition, imposes a cap on college tuition in these institutions.

### David Robinson Spoke on "Collegiality, Contingency, and the Continuation of Tenure"

David Robinson, Professor of History at Truman State, traced the history of the university as a "corporate body" from medieval times through the nineteenth-century Humboltian model of academic freedom.

Because of shared responsibility, collegiality cannot be considered separately from the traditional categories of teaching, research, and service. When administrators rate instructors on "collegiality," they are usually trying to force them to "fit in" and are demanding conformity and complicity.

Germany was the home of academic freedom, Robinson said. Faculties elected their deans and university officials were salaried employees of the state.

Professor Robinson said that the first U.S. colleges and universities, affiliated with state and religious institutions, adopted the Humboltian principles of independence and free research. But when professors were pressured in 1915 to conform to social and political criteria, the AAUP was formed in response.



Dr. David Robinson (Truman State) spoke on collegiality and other faculty issues



Over forty AAUP and SLACF members attended the joint meeting on February 24 in St. Louis

Concerning contingent faculty and the “difficulty” these appointments impose on the academy, Dr. Robinson emphasized two points from AAUP’s 2003 statement. First, tenure-track appointments should be increased, and where contingent positions are necessary, job security is essential. In addition, contingent faculty should fulfill the full range of faculty obligations (teaching, research, and service) and they should be included in the institution’s governance system.

### Richard Schneirov Discussed the Contingent Faculty Issue

From Indiana State University and a member of the AAUP Committee on Contingent Faculty and the Profession, Richard Schneirov talked to AAUP and SLACF members about the negative impact of non-tenure-track appointments. Through the overuse of contingent faculty, he said, education suffers in terms of continuity, repetition, and resources. Adjuncts are fifty percent less likely to assign an essay, he said. They are less likely to challenge students and experiment in the classroom.



Dr. Richard Schneirov spoke about contingent faculty issues

The overuse of contingents “drains power” from the faculty, Dr. Schneirov said. This is reflected in the declining prestige and importance of professional

organizations.

### Solutions and Approaches

Solutions to the present situation, according to Schneirov, include collective bargaining, legislation, and the work of local AAUP chapters.

Nationwide, higher education has a higher rate of collective bargaining than construction workers, said Dr. Schneirov, although there is essentially no collective bargaining in Missouri. Only five to ten percent of contingent faculty in the U.S. are organized, he said.

**“Raising the cost of contingent faculty to the institution reduces the incentive for hiring them.”**

Unions have always had difficulty in organizing “casual labor,” Schneirov said, but public opinion is more perceptive on contingent faculty issues. A college “looks bad,” he said, when parents find out that the majority of faculty are part-time.

Dr. Schneirov advised local AAUP chapters to change faculty handbooks and create advocacy organizations. Convincing tenured faculty to support their part-time colleagues is also important. “Raising the cost of contingent faculty to the institution reduces the incentive for hiring them,” Schneirov said.

### “Widespread Fatalism”

In many cases, contingent faculty lapse into apathy because they have given up hope, according to Dr. Schneirov, but “as soon as you get justice to work, apathy dissipates.” Schneirov advised local AAUP chapters to keep the contingent faculty issue in the forefront. The principle, he said, is simply one of justice.



State Senator Rita Days with MOAAUP Past President John Harms



As **Keith Hardeman** (right) assumes the conference helm, the Missouri Conference of the American Association of University Professors expresses appreciation for the tireless and effective work of past president, **John B. Harms** (left).

## Public Higher Education In Missouri: Falling Behind

Compiled by John B. Harms, Missouri State University

In the past 25 years, public financial support for higher education has declined by one-third, and students and their families have seen tuition and fees increase to make up the difference. In Missouri, these trends are more extreme than in most states. Consider the following facts about Missouri's public higher education:

- Missouri paid 81.6% of students' educational expenses in 1980 and only 46.0% in 2007. (President Nietzel, State of the University address, MSU)
- The percentage of Missouri's budget dedicated to higher education was 16.8% in 1980 and 12.7% in 2007. (President Nietzel, State of the University address, MSU)
- In FY2006, the national average for state funded tuition aid per FTE was \$437, while Missouri provided \$131 or 30% of the national average. (SHEEO, SHEF Report FY2006)
- Nationally, between FY2002 and FY2007, states averaged an increase in appropriations for higher education of 15.1%. In Missouri, appropriations *declined* 9.9% or \$96.3 million (from \$974.6 to \$878.3 million) during this same period. (Grapevine, Illinois State University)
- Nationally, between FY06-07, states increased appropriations for higher education by an average of 7.1%, while in Missouri the increase was 2.7% or \$855.3 to 878.3 million. (Grapevine, Illinois State University)
- Nationally, between FY01-06, FTE enrollment growth averaged 14.8%, while in Missouri FTE growth was 8%, or 40<sup>th</sup> among the 50 states. (SHEEO, SHEF Report FY2006)

The 2007 legislative session demonstrated that Missouri's lawmakers are beginning to focus on higher education and take steps to improve it. These facts indicate that Missouri has much more work to do to reverse the trend of falling behind in public support of higher education. Compared to national averages, or what our surrounding 7 states appropriate, Missouri is clearly still falling behind, as the following table illustrates (Grapevine, Illinois State University).

Appropriations per \$1000 Personal Income & Per Capita FY2007

State	\$ Per \$1K PI	Rank	\$ Per Capita	Rank
IA	8.06	17	266.61	18
KS	8.22	16	285.35	13
AR	9.93	11	279.37	14
OK	8.37	14	267.23	19
IL	5.67	39	217.53	32
KY	10.11	10	297.92	11
TN	6.36	29	205.63	35
MO	4.55	46	150.33	47

Missouri needs a long term investment plan for higher education tied to a reliable and adequate revenue source.

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## Brooker Bill Dead—For Now



MOAAUP President  
Keith Hardeman

nefarious attempts to politicize a college education and reduce academic freedom.

I want to thank the numerous state and national AAUP members (and others as well) who took the time to contact their state representatives, imploring them to oppose such dangerous legislation that had already been voted down by nearly 30 states.

We all owe a debt of gratitude to MOAAUP Vice President David Robinson who testified before the Missouri Senate on our behalf. Free Exchange on Campus has been coordinating the work of a coalition of organizations (including AAUP) who oppose such legislation. Their website, [www.freeexchangeoncampus.org](http://www.freeexchangeoncampus.org), lists Dr. Robinson's testimony and many other interesting documents (click on "Publications and Research").

Many of you also wrote passionate and articulate letters to the editors of Missouri's newspapers to combat this bill.

I was fortunate to have an op/ed piece published in the *Springfield News-Leader* and the *St. Louis*

*Post Dispatch*. I was not at all surprised when I received some angry emails in response. One Missouri State University student called me a liar, a communist, and unpatriotic. As was the case with other opposing emails and blogs, his message was long on vituperative personal attack and biased activism while short on facts and logic.

I admit I do not particularly enjoy reading the rants of those who harbor irrationally hostile opinions about me without ever having met me. But I realize this comes with the territory.

I was perplexed, however, by emails from two professors. Without the support of *any* valid, objective, empirical evidence (because no such evidence exists in this case), they appear to buy completely into the Horowitz hysteria that college professors are overwhelmingly using their classrooms for political purposes, indoctrinating students, and evaluating them based on political ideology.

Having to deal with an uninformed public and politically motivated legislators and activists is one thing. Facing opposition from a few within the academy—unaware faculty members who at first

glance may see nothing wrong with a government-regulated decrease of academic freedom—is something else.

Perhaps they erroneously believe their own course material could not be influenced. We must be vigilant not only in the public and political arenas, but also in our own back yards. I hope we are able to reach this minority of professors and enlighten them: When the government limits academic freedom by *imposing* points of view on experts in institutions beholden to the search for truth, *everyone* is adversely affected, regardless of one's own personal politics.

As Linda Carroll of Tulane University wrote, ". . . it is dangerous to transfer the authority over academic issues to outside parties affected by the political process."\*

The Brooker bill was never about improving education. It was about partisan politics at their worst. Obtaining the third highest academic degree in the world should mean something beyond receiving a glorified endorsement of one's own

political or religious ideologies. In other words, the point of a college education is for students to step outside the box and learn *different* perspectives, ideas, and ways of thinking. Dumbing down and politicizing curriculum

simply because some do not like facts within a discipline will only serve to dumb down society as a whole. And no one wins when that happens.

Let us continue to work in the best interests of our students so that Missouri does not have the dubious distinction of becoming the first and only state to adopt such perilous legislation.

\*Carroll, L. L. (2000, May-June). "Tenure and academic excellence," *Academe* Vol. 86, no. 3.

*Editor's Note: Representative Jane Cunningham was contacted and invited to provide text in favor of her bill for publication in this issue. She did not respond.*

**"When the government limits academic freedom by imposing points of view on experts in institutions beholden to the search for truth, everyone is adversely affected, regardless of one's own personal politics."**

### Stay Informed Tap State AAUP Resources

Missouri Conference Website:

<http://www.moaaup.org>

(note that the "www" is necessary)



taken to involve them in joint decision-making—and particularly in restoring equity to faculty and staff compensation, improving internal communications, and revising university regulations.” Further documentation by a faculty member stated, “Some presidents talk about shared governance; this president exemplifies it.”

Dr. Mahoney was greatly honored by the award, and states, "Since I arrived on this campus more than two years ago, I have seen how much the faculty and staff care about Lincoln University.” She adds, “One of the least difficult parts of my job is sharing in the leadership of our University because I know our legacy, our present and our future, is in good hands."

The Lincoln University chapter of the AAUP nominated Dr. Mahoney for the award because from the time that she began her presidency at Lincoln University of Missouri in February 2005, the school has undergone a remarkable and positive transformation, especially in terms of shared governance. Dr. Mahoney championed not only the principles of the AAUP, but its renewed existence on our campus. From the start, Dr. Mahoney was very receptive to meeting with our local Executive Committee

**“Where there was once an atmosphere of intimidation, there is now a collegial climate; where there was once a major communication problem, there is now a campus-wide communication audit; where once there was no funding for equitable faculty/staff salaries, there are now salaries on par or above those of our peer institutions.”**

of the AAUP, where we have had at least six meetings in the past two years, most lasting for an hour or longer. During our first meeting, we presented Dr. Mahoney with what I can only call a daunting list of concerns compiled from polling faculty/staff, in which the main topics were governance, structure, funding, communication, and climate/morale.

Dr. Mahoney listens to faculty, even when the issues are tough, or maybe it is best to say, especially when the issues are tough. She has changed our institution from one in which it was hard to work into one with a comfortable working environment. In fact, as I review the list of concerns that we compiled in March 2005, I remain amazed

that where there was once an atmosphere of intimidation, there is now a collegial climate; where there was once a major communication problem, there is now a campus-wide communication audit; where once there was no funding for equitable faculty/staff salaries, there are now salaries on par or above those of our peer institutions; where once there was reorganization without faculty input, now faculty are given the means to provide input; and perhaps most importantly, where faculty governance is the major way in which business is conducted. ■

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