President’s Report

This past year has been a productive one for our state conference.

With the help of our lobbying consultants: Mark St. John and John Joanette of Lambda Consulting, Inc. we have expanded our presence in the legislature. In this last legislative session we had three priorities:

First, AAUP opposed the Governor’s proposed legislation that would fund salaries for faculty stars and merit-based or Hope scholarships for students. We were part of a broad group of opposition to this legislation, which we expect to be resurrected in the next session. On behalf of AAUP I wrote an op-ed piece that was published in the Indianapolis Star on Jan. 7, 2007. Our position was that the state should be spending money on making the salaries of all our faculty competitive, not just the stars. We also argued that spending money on merit-based scholarships would be wasteful since those students would go to college anyway; moreover, the Hope scholarships have a history of increasing inequality. Instead, we asked that the money go to need-based aid. As many of you may know, the Indiana House killed the Governor’s lottery plan, and the Governor has no plans to introduce it in the coming session.

Second, we played a small but important role in defeating the amendment to ban gay marriage. The second sentence of this amendment threatened domestic partner benefits, which four of our state universities offer their faculty. A recent court decision in Michigan interpreting an amendment passed in that state similar to the proposed Indiana amendment, prevented school districts and universities from offering domestic partner benefits. AAUP was fearful of the same thing happening here. As President I wrote a letter to House Speaker Patrick Bauer on this matter, which was also posted on the AAUP webpage. On March 21, on behalf of AAUP, I testified before the House Committee on Rules and Procedures against the amendment. We were also able to get the Faculty Senate of Indiana State University and Faculty Council of Indiana University-Bloomington to weigh in against the amendment. The amendment was defeated in House Committee, when it failed to get a majority vote.

Third, we continued to press for our bill to add an elected faculty member to the boards of trustees of publicly assisted colleges and universities in the state. (see list of reasons to support the bill elsewhere in this issue) With the help of State Rep. David Orentlicher and others we were able to get a 9-0 vote of the House Committee, including all of the Republicans. Unfortunately, when the bill came to a vote on the floor it got caught up in partisanship and won only by a 51-46 vote. In the Senate, we were able to pick up the active support of Republican State Senator Dennis Kruse (R-Auburn). But despite that help, Sen. Theresa Lubbers, chair of the Education Committee, with whom we have amicable relations, would not allow a hearing on the bill. With the help of State Rep. Jeb Bardon AAUP was able to get the substance of our legislation to conference committee, where it was defeated largely by the determined opposition of Indiana University.

In general, I believe we have expanded our presence in the state legislature, and we can look forward to further successes. We are particularly pleased that Hanover College has recently agreed to add two faculty trustees to its Board. We hope that state legislators take note of that when they reconsider our bill in the coming legislative session.

In addition to our above-mentioned concerns, we have a vital interest in supporting the professionalization of Ivy Tech’s faculty (see article elsewhere in this issue), which would involve the possibility of tenure for full-time faculty, multi-year contracts for senior part-time faculty; and establishment of a faculty senate that would be responsible for curriculum, rigorous faculty review procedures, and shared governance.

The lack of academic freedom at Ivy Tech was highlighted by the case of Becky Meadows-Wilson. According to accounts in the Louisville Courier-Journal and the online journal Inside Higher Education, Prof. Meadows-Wilson was a part-time faculty member, who at the start of the last academic year was hired on a full-time basis by Ivy Tech. She also became president of the Faculty Senate. Fully aware that part-timers lacked health care benefits or paid sick days and often felt compelled to come to class even when ill, she decided to hold a benefit—Becky is also a country music singer—to build up an emergency fund for them.

At first Ivy Tech cooperated. Then, they apparently became nervous that merely holding such a concert would let the public know they didn’t offer health benefits to the 75% of their faculty who worked part-time. So, they asked Becky to take the name of Ivy Tech off

See Report on page 2

AAUP’s 2007 Summer Institute was worthwhile

By Lisa Phillips,
Indiana State University

I strongly encourage AAUP members to attend the AAUP’s Summer Institute held in late July. I had the pleasure of attending last summer’s institute in Reno, Nevada (with the general-
the tickets. She did that. Then they decided that even the name “college relief fund” on the tickets was too much exposure for them. Becky complied with their request to take the name “college” off the tickets. Nonetheless, she received in the mail a “cease and desist” order to stop the benefit. After she contested the order, she received a letter stating she would no longer be employed by Ivy Tech. It was one of the most blatant violations of academic freedom that has been known in this state.

Prof. Meadows-Wilson filed a grievance. At her request the national AAUP entered the case, and Jonathan Knight wrote a letter to Ivy Tech on her behalf. Meanwhile, the state body worked closely with Becky to advise her on how proceed with her case. We recommended that Prof. Meadows-Wilson contact our lawyer, Ida Coleman Lamberti. As a result, Becky's suit again Ivy Tech was settled out of court to her satisfaction.

We are proud of helping Ivy Tech faculty in their quest for academic freedom and their professional rights. We will continue to do so.

Our State conference has also been working with the Indiana Commission of Higher Education to gather additional statistical material that might be useful to faculty in evaluating the state of higher education in Indiana. We have asked the Commission to calculate statistics that would give us answers to the following questions: to what extent have salaries increased at different schools over the past ten years and how that increase stands in relation to peer institutions; the number and percentage of faculty in Indiana teaching off the tenure track; the percentage of the university budget devoted to instructional and administrative costs; the amount of the budget devoted to debt service; the increase over time of state aid to students; the increase over time of university tuition and fees; and the changing share of state aid in university budgets. Our goal is to begin to get a better idea of the trends that affect the academic community in different institutions. That, in turn, should help us in our lobbying campaigns and in our actions on the campus level.

As your president, I also want to say something about the trend across the country and in our state for universities and colleges to institute criminal background checks of faculty. In our state, Indiana University has already instituted them over the opposition of the Bloomington Faculty Council. We face the same prospect of an imposed mandate at Indiana State University.

AAUP opposes indiscriminate checks because they are an invasion of privacy and civil liberties. Where the government or an outside agency, as in the professions of education and nursing, require background checks it is only prudent that universities conduct these checks. But, where there is no compelling justification for criminal background checks (see related article in this issue), we are opposed to them. There is no evidence that they increase safety and security on campus. There has been no spate of faculty crime on campuses. This is part and parcel of a deeply disturbing decline in individual liberties in the country. We recommend that faculty do their best to stand against criminal background checks except where warranted in specific circumstances.

Finally, and certainly not least, our state can now boast a new AAUP chapter formed by our colleagues at Manchester College (Manchester, Indiana is about 35 miles west of Fort Wayne and 100 miles north of Indianapolis). Congratulations Manchester colleagues.

Richard Schneirov
President, Indiana State Conference
AAUP takes lead in defending academic freedom

Although time has elapsed since Indiana last saw and defeated David Horowitz’s “Academic Bill of Rights” in 2005, similar legislation, namely the so-called “Intellectual Diversity” bill, has been proposed in multiple states in the country. As was the case in Indiana and other states where these bills to stifle faculty teaching and speech have been introduced, the AAUP has been taking the lead in defending Academic Freedom and making sure that proposals that would hurt higher education are defeated.

The Free Exchange on Campus Coalition, a network of faculty, student and civil liberties groups, including the AAUP and the Center for Campus Free Speech, is working across the country to stop restrictions on what students are able to learn and what faculty are able to teach in higher education.

Proponents of the “Academic Bill of Restrictions” (ABOR) and copy-cat “Intellectual Diversity” legislation are arguing that the biggest problem facing higher education today is that students are incapable of being exposed to new and controversial ideas in the classroom without being indoctrinated by them. They’ve especially targeted environmental studies, women’s issues, peace studies, and other minority and cultural studies departments as teaching politics rather than academics. They claim that there is widespread indoctrination and discrimination against conserva-

tive students in various colleges, and that faculty are acting inappropriately by bringing politics into the classroom. They also claim that students don’t have adequate recourse to deal with this problem. Without proof of these claims, they’re pushing for bills that would restrict what faculty are able to teach and what topics are open to debate and discussion in the classroom, presenting a tremendous threat to the free exchange of ideas between students and professors.

Between ABOR and the so-called “Intellectual Diversity” bill, this legislation has been introduced in twenty-eight states. In each state where it has been proposed, it has been defeated. Across the country, when these proposals are introduced its proponents can cite little to no evidence of any problem, certainly none warranting legislation or restrictions on what ideas college students can be exposed to and how faculty can teach. In fact, the one state that has held formal hearings into these claims, Pennsylvania, found that legislation was not necessary and that academic freedom violations in the state were rare.

Last spring, Georgia, Montana, Arizona and Virginia saw versions of this bill get a committee hearing, but were ultimately defeated or dropped. Missouri became ground zero for attacks on the free exchange of ideas on campus. Though they were never able to show evidence of political bias or violations of students’ rights in statewide higher education, Horowitz’s allies and ACTA (the American Council of Trustees and Alumni) lobbed every accusation they could think of against state higher education institutions. The bill sponsor exploited a lawsuit over the classroom conduct of one professor at Missouri State University (Brooker v. the Governors of Missouri State University) to create the perception that there was a need for her bill. Although the bill was able to move in the House, it was ultimately defeated in committee and did not reach the floor of the Senate.

Unfortunately, simply defeating a bill does not always do enough to protect academic freedom. Early last October, the Curators of the University of Missouri, responding to the threat of new legislation, adopted a new intellectual diversity statement and complaint procedure. This new policy mandates that intellectual diversity be respected and encouraged and changes the student complaint procedures to explicitly deal with political bias/discrimination and requires they first be dealt with by a campus-wide administrator instead of the professor or department. This move is procedurally unnecessary as students already could file such complaints; there already were people to address them; and students simply weren’t complaining. This new policy sidesteps the old time-tested procedures where students can have a dialogue with their professors and have the opportunity to deal with problems informally before creating a formal complaint.

The Free Exchange on Campus Coalition is continually dismayed that Universities and faculty have to defend themselves against these baseless accusations and against proposals that would restrict what students could learn in the classroom. As always, we support the teaching and tolerance of diverse viewpoints and oppose regulation that would chill free speech and academic freedom. We would be concerned if professors in any state were actually discriminating against students based on their views, but advocates of these new policies and legislation have not presented evidence that there’s a problem; and in state after state, students tell us there is NO problem.

There are real problems in higher education—from the rising cost of tuition to student debt levels to overall funding levels. To get them to deal seriously with these problems, we’re continually monitoring legislatures, building coalitions of faculty and students, and working to make sure that proposals that take away from the mission of higher education are routinely defeated in the court of public opinion and legislature. We are extremely fortunate to have the AAUP as a coalition member with their strong support, leadership, and experience in continually defending academic freedom.

Ashley Lubenkov
Field Organizer, Center for Campus Free Speech

Why AAUP opposes indiscriminate criminal background checks

1. Policies should be instituted only in response to clearly defined problems or the requirements of the law or outside agencies. There have been no studies demonstrating a rise in faculty criminal activities or other kinds of behavior that would warrant such checks. According to AAUP, “the scope of background checks should be limited by the specific requirements of a particular position.” (2004 AAUP statement—see document file)

2. Invasion of the right to privacy; constitutional rights should not be invaded unless a demonstrable and compelling case can be made that the public interest outweighs individual liberties. Such cases can be and have been made where outside accrediting bodies require such checks. Universities should not relinquish its employees’ individual rights in response to fears that have become blown out of proportion as happened in the 1950s. AAUP policy acknowledges that all back-the privacy of candidates,” but cautions that “[t]he privacy of a candidate [for employment] should be compromised only as necessary in order to secure information that may ensure that applicants are qualified to meet the particular obligations of specific positions.”

3. Criminal background checks often do not specify standards or criteria to be used in judging which and how many convictions and arrests are to be considered egregious
building a state conference; another focused on academic freedom in the classroom.

The first session I attended on Thursday, “A Tale of Two Institutions,” was given by professors from Akron University in Ohio and Emerson College in Boston. They described their experiences in long-fought campaigns with their respective administrations. At both Akron and Emerson, administrators forced the faculty to decide between establishing a collective bargaining unit or maintaining shared governance via the faculty senate. At Akron, the “choice” given by the administration was a direct response to faculty members’ increased interest in establishing an AAUP collective bargaining unit. As faculty interest grew, the administration decided, apparently, that if the faculty members were going to use the AAUP to represent them in contract negotiations, then in doing so, they gave up their rights to faculty governance. When the faculty refused to stop organizing an AAUP collective bargaining unit, the administration responded by dismantling the faculty senate. After the faculty scored a momentous victory by gaining enough votes to secure AAUP representation, they used their new AAUP collective bargaining unit to ensure that maintenance of the faculty senate was written into their new contract. Audience members asked how the faculty at Akron organized a collective bargaining unit. The speaker described a downtrodden and disgruntled faculty at Akron (there are over 650 faculty members at the University of Akron), the majority of whom were convinced that the path taken by the administration undercut the faculty’s voice in matters like tenure and curriculum. Once it became clear that the administrations’ intent was to erode faculty influence over issues which faculty should, they thought, have primary authority, it was not too difficult, he said, to convince enough people that an AAUP-collective bargaining unit was critical to restoring a strong faculty influence on campus.

was quite interesting. Many of you may know that adjunct faculty at Emerson waged a successful campaign under AAUP’s leadership to gain union representation between 2001 and 2003. The campaign was remarkable. Not only were contingent faculty joined by tenured and tenure-track faculty, but members of Justice for Janitors supported the campaign and, at a crucial turning point students “struck” by voluntarily staying out of class to protest. Student-involvement was the key to the campaign’s success. Once people across campus realized that the faculty’s poor working conditions affected the quality of education at ground relative to university administrations is gaining information about how a college or university is run. Some administrations are more transparent than others. Mauer ran a kind of strategy session: “If the administrators at your university are saying this, try this.” He suggested that people use tax reports to find out more about university expenditures. The IRS requires colleges and universities to report their expenditures; those reports are of public record and provide a clear breakdown of how money is spent. The take-home message from this session was simply that requesting information from an administrative body is an effect that they both feel involved and develop the skills necessary to lead the chapter at a future date. Yet, recruiting junior faculty is especially difficult given the pressure they face to achieve tenure. It also takes time to educate junior faculty about the benefits of AAUP representation. To make matters worse, junior faculty members are often preoccupied with family responsibilities. Bridging that gap, they argued, is not easy but essential.

My husband attended sessions on “shared governance” and “recruiting junior faculty and graduate students.” The shared governance session was devoted largely to making sure faculty representative bodies are institutionalized through a strong and robust faculty senate with standing committees, by-laws, and other mechanisms. The session on recruiting junior faculty and graduate students was more participatory in that audience members shared their experiences. Most people talked about the tenure process at their respective institutions.

I left Reno wondering about Indiana in particular. The Indiana AAUP’s campaigns and negotiations with the state legislature have become especially significant to me. Now that I have a better understanding of the way in which other AAUP chapters work, I am eager to learn more about the ways in which the AAUP in Indiana can continue to make headway on issues such as faculty representation on boards of trustees, contingent faculty, financial transparency, and academic freedom. As far as I know, I was the only AAUP member from Indiana who attended the Summer Institute. I hope more of us are able to go next year. There are few opportunities like this one that enable you to travel, meet fellow AAUP members, and bring home information that can be put to use immediately.

Editor’s note: AAUP members interested in attending the Summer Institute should register early. State conference support is also available. Please contact your chapter representative.

For three days, I was ‘on the same page’ with people about issues like shared governance, financial transparency, academic freedom, contingent/adjunct faculty, and many others.”

Emerson, everyone mobilized. Emerson’s administrators had a hard time arguing with students who demanded a good education in return for their tuition dollars in the form of a better paid, better cared for, and a more stable professorate. As happened in Akron, Emerson’s administrators resorted to putting pressure on Emerson’s full-time faculty to choose between their AAUP-collective bargaining unit and their role in shared governance (i.e. faculty senate). This time, full-time faculty drew on support from the Emerson community, the same people who supported the contingent faculty, to put pressure on the administration. The alliance worked again. Full-time faculty signed a new collective bargaining agreement and kept both union representation and shared governance intact.

The next day I attended two very informative sessions. The first was given by Michael Mauer, the AAUP’s director of organizing and services. The session was entitled, “The Art of the Information Request.” According to Mauer, one of the main mediative means by which to protect the faculty’s interests and rights.

The afternoon session I attended dealt with how to build and grow an AAUP chapter. The panelists, both AAUP staff members, shared information from their experiences in Cincinnati. They talked a great deal about the importance of preparing an existing AAUP chapter for new leadership. In their eyes, stagnant leadership, i.e. the same person doing the same work for the AAUP chapter year in and year out, had the most deleterious effects on the health of the local AAUP chapters they worked with. They argued that chapter leaders should think of their position as temporary and earmark people early on who have the qualities necessary to lead the chapter. In the course of the discussion, people talked about generational differences. Panelists argued that one of the major obstacles involved in developing good chapter leadership is bridging the gap between senior and junior faculty. In order for an AAUP chapter to remain healthy and robust, they argued, junior faculty need to be recruited and
Ivy Tech needs professional standards for its faculty

Like other institutions of higher education, Ivy Tech Community College aspires to contribute to the economic and social development of the state of Indiana; but its treatment of its faculty does not look like that of colleges and universities in this and other states. Ivy Tech's recent controversial treatment of Becky Meadows Wilson reveals how its peculiar faculty policies imperil the quality of the education it offers its students.

As President of Indiana's American Association of University Professors, I'm proud to say that the AAUP was the first educational organization in Indiana to support Ivy Tech's expansion into a full-fledged community college. AAUP members have from its inception chaired the State Transfer and Articulation Committee, the organization that works to increase the number of Ivy Tech courses that transfer to other colleges and universities. It's thus with some regret that I must publicly observe that Ivy Tech's faculty policies fail to live up to professional best practices, and the school's shameful treatment of Becky Meadows Wilson illustrates how this failure threatens to undermine its educational mission.

Prof. Meadows Wilson was a part-time faculty member at Ivy Tech Community College at Madison. At Ivy Tech statewide only 25% of all faculty members are full-time and even they are hired on yearly contracts, which means they have no assurance they will be brought back the following year. The rest are part-timers, hired on a course-by-course basis at approximately $1200 for a three-hour course. When Prof. Meadows Wilson got sick, she was docked for every class hour she missed. She would often be forced to choose between staying home sick and own health, and that of her students.

According to accounts in the Louisville Courier-Journal and Inside Higher Education, when Prof. Meadows Wilson became a full-time faculty member at the Madison campus and President of the Faculty Senate last year, she decided to help the part-timers. A country music singer recording under the name Foxx for Stardust Records, she decided to hold a benefit concert to build up a medical emergency fund for part-time faculty at Madison. The money would be donated to the Ivy Tech Foundation.

When Prof. Meadows Wilson got sick, she was docked for every class hour she missed.

At first, Ivy Tech officials were supportive. Then, with plans for the concert underway, Ivy Tech administrators, apparently nervously about how the publicity might affect their reputation, insisted that the college's name be removed from the tickets being sold. But Ivy Tech still wasn't satisfied with tickets that merely said "college relief fund." So, Professor Meadows Wilson had that phrase blacked out on the tickets.

Nonetheless, a few days later, she received a formal "cease and desist" order from the college. When Prof. Meadows Wilson contested the order, she received a letter stating that her contract for the coming academic year would not be renewed.

Prof. Meadows Wilson eventually filed a grievance. She was supported by the national and state bodies of the American Association of University Professors, as well as the state and national chapters of the American Philosophical Association, all of whom defend academic freedom.

Academic freedom is not just "free speech." It is the lifeblood of higher education and the foundation of a community of scholars and teachers because it allows them to investigate topics and publish views that are oftentimes controversial, but are necessary to the advancement of knowledge. Because faculty share in the governance of the institutions of higher education, academic freedom is also necessary to protect faculty's freedom of speech outside the classroom.

As a general rule, academic freedom requires tenure for the standard against which educational attainment can be measured, and assure faculty at transfer institutions that Ivy Tech conforms to "best practices."

AAUP’s recommendations are in accord with two important studies of Indiana’s community colleges. One, commissioned by the Indiana Commission for Higher Education in 2001, found that Ivy Tech lagged behind 14 peer institutions in offering professional protections for its faculty. Most recently, the 2004 Report of the Subcommittee on Higher Education to the Indiana Government Efficiency Commission gave our community college system grades of “D” in providing its students with general education, transfer preparation, community service, and serving as a delivery site for other providers. The report stated that there was “an immediate need in bolstering [Ivy Tech’s] full-time faculty in the general education area.”

Becky Meadows Wilson has settled her grievance with Ivy Tech and moved on. But, the rest of that institution's faculty still suffers from less than professional working conditions; and part-time faculty members still lack health care.

It is AAUP's hope that Ivy Tech will professionalize the standards by which it treats its faculty. Doing so will make it easier for four-year institutions in the state to give transfer credits to Ivy Tech students; will improve Ivy Tech’s ability to attract and retain high quality faculty; will enhance Ivy Tech’s reputation; and enable Ivy Tech to better contribute to the economic and social development of our state.

Richard Schneirov is president of the Indiana State Conference of the American Association of University Professors and a member of the national AAUP’s Committee on Contingent Faculty and the Profession.
The Indiana State University Chapter of AAUP has been quite busy this year. Our Spring Forum on faculty participation in university budgeting was well attended with Lane Crothers from Illinois State University describing the role of the faculty there. RickLotspeich’s plan for increasing faculty participation here was outlined in the fall edition of our local newsletter “Higher Grounds,” which went out to all ISU faculty. We will continue working on this issue in 2008.

In the fall semester some of the faculty in a unit that had just passed a vote of “no confidence” in the dean of that unit asked for the local chapter’s help in dealing with issues arising from that vote. Outgoing chapter President Lotspeich and incoming chapter President Nora Hopkins met with these faculty on several occasions. At this point, the issues seem to be resolved.

Nora Hopkins met with the new ISU tenure track faculty for about an hour during a New Faculty Orientation session in November and had a good discussion with them about academic freedom and AAUP’s role in protecting it. We may try to expand this to a discussion group meeting regularly. We have also had a well attended Fall Forum on “The Presidential Search and Campus Community” recently. It was particularly helpful to have Ron Carpenter, who is on our Board of Trustees and who is chairing the search committee as one of the panelists.

The chapter also sent forward a position statement on criminal background checks to the Executive Committee of the Faculty Senate, which is currently working on a policy and procedure for doing such checks on new faculty hires. Faculty government should complete its work on this issue in the spring semester.

Within the College of Arts and Sciences Rick Lotspeich, Don Richards and Nora Hopkins have been working to get a policy and procedure adopted that will preserve the faculty’s voice in administrative reorganizations. Such a procedure will be voted on by the College Faculty Council in December.

Finally, let me take this opportunity to thank my fellow officers of AAUP/ISU: Bassou El Mansour (vice President), Tom Derrick (secretary), and Don Richards (treasurer), whose help and advice have been greatly appreciated. Former chapter president Rick Lotspeich has also been tireless in working on the issues we have been tackling this year.

Submitted by Nora Hopkins,
President, ISU Chapter of AAUP

AAUP arguments for legislation mandating faculty representatives on board of trustees:

Progress is best achieved when all parties having a stake in an institution are present at the table.

Having a faculty member on the Board of Trustees will improve communication and build trust between the Board and those who deliver the primary services of the institution.

Having a faculty member on the Board of Trustees will ensure that other trustees have regular, direct, and formal access to the expertise and insight that only faculty have.

Faculty representatives have served on the Indiana University Board of Trustees as alumni representatives without complaint about conflict of interest.

Doctors commonly serve on hospital governing boards without complaint. Why not faculty on university boards?

Current boards have voting student trustees without apparent problems of conflict of interest. Why should faculty not be represented? FACTS:

Over 300 universities in the country have faculty on boards.

Many of our most respected and well-known universities have faculty serving on boards.

Cornell University has two faculty trustees, and in the public sector the University of California Regents’ System has two faculty members.

Kentucky legislation requiring faculty on boards worked so well, that this state has added a 2nd faculty trustee.

Hanover College in Indiana has just added two faculty trustees to its board.

For several years a similar bill in Indiana has enjoyed large, bipartisan support in the Indiana House.

Background

enough to warrant the faculty candidate’s dismissal from the pool. The lack of such standards or criteria would likely result in subjective judgments. Criminal records are “notoriously imprecise.” They “contain information ranging from arrest through disqualification.” (AAUP statement)

5. “Unless administrators are willing to act on every possible background problem, they risk increasing their liability by conducting background checks.” A policy of blanket background checks raises issues that have institution use it to disqualify otherwise qualified candidates? What is applicable, what isn’t, what is actionable, what isn’t? What if an employee commits a crime or breaks the law? An employer who knew of such past bad acts may be held responsible for failing to act on that knowledge, even if future actions were and are difficult to predict.” (AAUP legal counsel, Ann Springer)

5. Background checks indiscriminately applied could make the university liable to discrimination suits. Selective background checks without adequate standards or safeguards could result in cases of discrimination” where “equally applied policies that disproportionately affect a protected class of employees could result in a ‘disparate impact’ discrimination claim.” (AAUP legal counsel, Ann Springer)

The above list of concerns is based on AAUP documents available at:


and “http://www.aaup.org/AAUP/pubsres/academic/2003/MA/Col/LW.htm”

http://www.aaup.org/AAUP/pubsres/acad-