

15 February 2010

Dr. Hank M. Bounds, Commissioner  
Institutions of Higher Learning  
3825 Ridgewood Road  
Jackson, Mississippi 39211

Commissioner Bounds:

We share your concern that funding for higher education is in serious jeopardy. Universities across the state have taken a variety of measures to reduce costs and engage in practices that will trim future budgets. Our colleagues at these universities understand the severity of the financial crisis facing the university system. We also understand that creativity in coping with these financially troublesome times is appealing, but we respectfully request that the benefits of extraordinary alternatives be measured in comparison to potential harms that may also accrue. The Board's recent decision to consider language undermining tenure and due process deviate from AAUP guidelines which are the norm in higher education and followed by Mississippi universities.

The Mississippi State Conference of the American Association of University Professors is united in its opposition to the IHL Board's draft proposal dealing with tenure and due process because these policies will undermine the system of tenure in the State of Mississippi.

We find the Board's proposals to be objectionable in the following ways.

1. The Board proposes to set April 1 as the deadline to notify all tenure-track faculty of their dismissal for the following year. The policy also includes firing with a thirty-day notice to colleagues whose positions are contingent on research funds. These changes are contrary to the policy currently followed by all universities in the state. It is also in violation of the AAUP's guidelines for termination, specifically, termination notices will be sent
  - a. *not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.*



states where the tenure system is still intact, the implementation of this proposal would be *hostile* to the traditions of academe respected by the rest of the country. In effect, it is not just the language alone that undermines tenure; it is also the chilling prospect that such language would be enacted.

Compounding the loss of the tenure system is the loss of due process under which any complaint or personality difference can be used to fire colleagues. The decision to weaken the tenure system by eliminating due process creates an untenable position for both tenure-track and tenured faculty and removes an essential protection for full-time instructors who have given faithful service to universities in this state.

By adopting these changes the Board will inevitably weaken the university system by undermining our ability to recruit and retain superlative faculty. With fewer colleagues pursuing tenure in Mississippi, students will lose, universities will lose and the state will lose. Specifically, Mississippi will lose hours of faculty labor that contribute to both the intellectual and economic progress of the state.

As more and more tenure-track faculty leave for other states before obtaining tenure, and as tenured faculty leave for states where tenure is respected, a less experienced and less talented group will remain. If it is the case that higher education is conducted for the common good of the citizens of the state, then removing the security and privileges promised by traditional tenure will only discount the work universities perform to help Mississippi recover from decades of widespread poverty and educational dysfunction.

Because institutions matter, the state cannot depend simply on the will of personality to protect the tenure system. Administrators across the state have come forth and vowed to faculty that they will not abide by the changes in the Board's proposed language of 17 December. The support of these administrators is welcome. This support, however, is dependent on the will of individuals. Good institutions depend on good laws. The proposed changes to tenure are simply not among such good laws.

Although modifications of tenure guarantees are under consideration in other places, Mississippi is not in a similarly competitive position with regard to faculty recruitment and retention across all institutions. Our universities can ill afford this especially now. Excellent programs have taken years to build. Many of these programs have taken decades to gain credibility. That credibility is much easier to destroy than to create. Hints that Mississippi is not committed to its university faculty and research programs are certain to be more destructive for Mississippi institutions than for institutions in any other state in the nation. If the chain that connects tenure with excellence is broken, these quality programs will be lost to the state and its citizens.

Like much else in the state Mississippi's institutions are the victim of an often unfair and disadvantageous national image and reputation. Mississippi has come a long way. In this time of crisis we need to work hard to distinguish ourselves-- stand out from the rest in our determination to build and retain faculty and programs of national significance and reputation. More than any other state, the traditional protections offered university faculty in Mississippi are of inestimable value to our classrooms, our programs and to our professional reputation.

We urge the Board to reconsider the proposed language, contemplate the consequences of its vote, and reject this attack on the tenure system. Otherwise, the professional reputation of the university system and the quality of education for millions of students will be damaged. The need temporarily to reduce payroll must not lead us to ruin our public universities, undermine the work of the faculty and, most especially, render ineffective the education of our citizens.

Sincerely,

Garry Jennings, President  
American Association of University Professors  
Mississippi State Conference

cc: Scott Ross, President of the Board  
Dr. Bettye Henderson Neely, Vice President of the Board  
Ed Blakeslee, Board Member  
Dr. L. Stacy Davidson, Jr., Board Member  
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