

**Written Testimony Submitted to the
Maryland House Appropriations Committee
By Frederick Mills, PhD**

HB 493

**State Personnel – Collective Bargaining – Faculty, Part-Time Faculty,
and Graduate Assistants
February 13, 2024**

FAVORABLE

Good afternoon Chair Barnes, Vice Chair Chang, and members of the House Appropriations Committee. My name is Frederick Mills and I am professor of philosophy at Bowie State University (BSU) where I have been working full time since 1996. I am also President of the BSU chapter of the AAUP and a member of our campus constitution committee. I have also served on the BSU faculty senate for more than a decade. I urge this committee to issue a favorable report for HB 493. The right to collectively bargain in this state applies to most state employees, including faculty at community colleges. There are good reasons why this right should also be extended to all faculty labor in higher education in Maryland.

I have been active in shared governance bodies on the BSU campus for more than 25 years. I teach both face-to-face and online courses in philosophy, including ethics and public policy. I also conduct research in the ethics of liberation and serve as volunteer deputy director of the Council on Hemispheric Affairs. I focus my argument for granting collective bargaining rights to higher education workers based on the need to fortify shared governance and dignify the labor of all instructors, including part-time faculty.

We need to fortify shared governance. The principles of shared governance and academic freedom, which are informed by AAUP policy and incorporated into the University System of Maryland (USM) bylaws as well as faculty handbooks across the state, allots primary responsibility to faculty in academic matters such as the content of courses; the hiring, evaluation, and promotion of faculty; and program development. The USM policy states

“Each institution shall define the subject matter appropriate for faculty, staff, and/or student participation in the shared governance process. The definitions shall recognize [as it pertains to faculty]: The central role of the faculty in the institution's teaching, research, and outreach programs, including the assessment of the quality of these activities through peer review.” (Bylaws: I, 6.00, 3, c. 5)

Our BSU faculty handbook, in compliance with I, 6.00,3, c.5 states:

The faculty handbook and the [University System of Maryland bylaws](#) (I - 6.00 Policy on shared governance) are informed by the AAUP’s *1966 Statement on Government of Colleges and Universities*. ...It calls for shared responsibility among the different components of institutional government and specifies areas of primary responsibility for governing boards, administrations, and faculties.

What are these shared responsibilities? The AAUP's [1966 Statement on Government of Colleges and Universities](#) states:

"The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process."

These are good policies, but without the right to collectively bargain, faculty lack sufficient recourse to curtail the erosion of shared governance and academic freedom and depend on the good will of administration. It is a one-sided bargain that too often undermines the appropriate exercise of our primary responsibilities. The right to collectively bargain can provide the mechanism to fortify shared governance and enhance the spirit of collaboration between faculty and administration in pursuit of a common mission.

We have had occasions over the past decades, at BSU, when administration refused to recognize the elected members of the faculty senate or appointed advisory committees that circumvented shared governance bodies and procedures. In [2010](#), for example, it was only with a great organizing effort by faculty and the intervention of the Board of Regents, that our shared governance bodies persevered.

Most recently our departments and instructors have had very limited input into changes in the management of academic computing which, since the pandemic and the expanded use of virtual classrooms, has become an essential instrument in the development of online and hybrid courses. During a health emergency, our academic departments and faculty lost a significant measure of control over course content and the pedagogical tools used for their delivery. This clearly violates the policy of our faculty handbook, which states:

Freedom of teaching. ...Faculty members must be able to disseminate to their students the results of pertinent research, by themselves and others in their profession. They must also be free to train students to think about these results for themselves, often in an atmosphere of controversy that, as long as it remains, in a broad sense, educationally relevant, actively assists students in mastering the subject and appreciating its significance. **Freedom of teaching includes both subject matter and choice of pedagogical tools, including technology.** (BSU Faculty Handbook, 5.5.1.3, bold added)

A collective bargaining unit could help clarify and establish the appropriate balance between respect for academic freedom and the legitimate need for administrative oversight of academic computing.

Another reason for the urgency of passing this bill is the need to dignify part time academic labor. Our faculty senate voted unanimously in January 2023 to pass a resolution that "All BSU Faculty, including Contingent I Faculty (i.e, Adjunct Faculty), Receive the 4.5% COLA Effective in MD for All State Employees on 1 November 2022." The context was the announcement by Governor Hogan that all state employees would receive a 4.5% COLA to commence on Nov. 1, 2022. Since contingent I faculty are state employees, as BSU's administration acknowledges, and they are already insufficiently remunerated for their labor by both market standards and any conceivable measure of economic justice, the senate

resolved to "strongly urge administration to honor its own acknowledgement that Contingent I faculty are state employees and accord all BSU Faculty, including Contingent I Faculty, the 4.5% COLA announced by the Governor to commence on 1 November 2022." It is not clear why our individual campus denied the COLA increase without faculty input. The sad reality is that despite already low pay and inflation, some contingent workers must work at several institutions teaching six or seven courses and still cannot make ends meet. That is not good for them or students. If faculty at BSU had the right to collectively bargain, including contingent faculty, contingent faculty at BSU would have had a better chance to obtain this modest and long overdue COLA increase. Some contingent faculty have been part of our academic community for more than two decades. They ought to be treated as such.

I urge you to vote for HB 493 and grant faculty at any rank the right to choose for themselves whether collective bargaining can fortify shared governance and academic freedom and advance the cause of just compensation for all instructors in higher education.