

**Written Testimony Submitted to the
Maryland Senate Finance Committee**

By David Kaloustian, Professor

SB0750

State Personnel - Collective Bargaining - Faculty

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FAVORABLE

Good afternoon Chair Beidle, Vice Chair Hayes, and members of the Senate Finance Committee.

I write today in support of this bill that would allow collective bargaining for faculty within the University System of Maryland and some other institutions of higher education in the state of Maryland. My name is David Kaloustian and I am a tenured Full Professor at Bowie State University (BSU), where I have been employed continuously since 1999. I have served as Chair of the Department of Language, Literature, & Cultural Studies and have held numerous service positions at BSU, including on the Executive Committee of the Faculty Senate. I am a member of the American Association of University Professors (AAUP), as well as a member of the BSU Chapter of the AAUP. I am advocating for the legal right of faculty of the University System of Maryland to bargain collectively if we choose to do so because I am convinced that this would serve not only faculty, but the general welfare. In the following testimony, I assert that collective bargaining is not simply about fair compensation and working conditions--though these things are of great importance--it is also about creating a system of higher education that actually values knowledge and the free exchange of ideas and thereby promotes the very democratic principles that higher education, as a public good, is supposed to cultivate and safeguard. This important mission cannot be accomplished in any institution, and particularly in those that call themselves institutions of higher education, unless shared governance is taken seriously and not simply given lip service in the often hypocritical "meet and confer" model. The legitimacy of an institution of higher education does not reside in a few administrators making top-down decisions about matters in which their understanding can only be but partial; it resides in a collective determination of the goals, standards, and bases of knowledge hard won through years of learning, research, teaching, and service that make faculty expertise the primary foundation of institutional legitimacy.

First, a few words about wages. There are some unfortunate lay misconceptions about the professoriate spread by those with political axes to grind: that all college instructors enjoy cushy jobs protected by tenure, are lavishly rewarded, have their summers off, etc. The fact of the matter, however, is that most instructors in higher education both across the nation and right here in the state of Maryland are not tenured or even on the tenure track. Far too many are contingent faculty who must scrape together a partial living by teaching a course or two here and there for very little pay, no benefits, and no job security from semester to semester. The AAUP has extensively documented the decline in tenure-track positions across the nation and the deleterious and unsustainable results of this decline , so I needn't speak about this in general terms here; but a few words on how this works out at BSU are in order.

At BSU, despite years of imploring administration to raise wages for adjuncts, they still typically pay adjuncts only about \$3500 per course and BSU administration caps the number of courses an adjunct may teach at 3 in order to avoid having to extend any benefits whatsoever. BSU administration steadfastly refuses seriously to negotiate and instead clings to an unsustainable and exploitative employment model that prioritizes the use of highly skilled, highly motivated, low-paid, disposable per-course faculty without benefits to make up a

disproportionate part of the instructional faculty. While we understand that some degree of flexibility in a workforce is necessary, contingent faculty should be employed to fill in when full-time faculty are unavailable or when adjuncts themselves prefer part-time status. Instead, the system of partial employment for a large segment of instructors has become the status quo.

But the expectation that an institution can have the most qualified and experienced instructors on call and then pay them such low wages is unrealistic. It is also hypocritical, because when it comes to administrative positions, the basic principles of recruitment and retention are the order of the day--if you want to recruit and retain the best, then you have to pay them accordingly. I note that according to the latest publication of the University System of Maryland Dashboard Indicators, in 2021 the percentage of total operating expenses devoted to administration at BSU was 21% (far above the 15% prescribed benchmark), while at College Park, it was only 9% (below the 16% prescribed). Despite repeated calls for reform, this has been a long-term trend here at BSU, with our administrative costs hovering near the top of all USM institutions for well over a decade. Surely BSU administration could make a better effort to reign in administrative costs and observe the same frugality and efficiency that they enjoin upon faculty, and then redirect some of these monies to hiring and retaining the best and brightest instructors. But, absent collective bargaining, it has been demonstrated time and again that BSU administration will not engage in good faith negotiations or even acknowledge the relationship between a top-heavy administration and low remuneration for contingent faculty, even when they have the resources to do so. BSU's coffers are seeing an unprecedented expansion, what with the Coalition Lawsuit funds (\$97.7 million over the next decade), The MacKenzie Scott funds (\$25 million), and the recently announced American Rescue Plan Investment in HBCUs (\$44.4 million). But despite these welcome new sources of funding, BSU administration has also stingily denied contingent faculty the most recent 4.5% COLA that former Governor Hogan announced would be extended to all state employees.

And now let's do a little math. If adjuncts make \$3500 per course, and are limited to teaching 3 courses at most, then that comes to just \$10,500 per semester or--if they are lucky and lower Spring enrollments do not require a reduction of the sections they are offered, they might make \$21,000 per AY at BSU, which, owing to inflation these days, doesn't take one very far. The 2022 US poverty level for a family of three was \$23,030. BSU apparently cannot see fit even to extend the 4.5% COLA, which, even if they did, would still leave BSU contingent faculty below the poverty line.

This low pay also comes with a cost to students. In order to make ends meet, many adjuncts have to carry another load of classes at another institution or two or more, which, of course, cuts into the time necessary to do a good job of correcting papers, overseeing projects, holding office hours, and prepping for classes, let alone doing research and publishing so that they can move on up into the increasingly rarified position of going on the tenure track. (There are only so many hours in the day.) Administrators, however, seem unconcerned about how this situation adversely affects the level of instruction provided to our students. They seem interested only in numbers.

Contingent faculty are exploited and unfairly treated on a number of fronts besides direct pay and job security: health benefits are often denied as well as paid sick leave and unemployment benefits; intellectual property rights, academic freedom, and a voice in shared governance are also negatively impacted by their contingent status. And all of this also adversely affects tenured and tenure-track faculty. The over-reliance upon contingent faculty erodes our wages, threatens the tenure system, and is inimical to a system of higher education that protects independent thought and academic freedom. The proliferation of contingent labor erodes shared governance because many adjuncts, fearing for their jobs, are reluctant to engage in healthy critique--if they even have time to attend meetings. It also necessitates that full-time faculty take on many, many more jobs and wear an increasing number of hats as administrative demands for new measures of productivity increase. There has

been an explosion in extra-instructional expectations for faculty and however laudable these new initiatives and expectations may be, there is no commensurate expansion of labor to accomplish these tasks. (And these additional duties and expectations are often imposed from above without even the courtesy of a discussion, let alone a negotiation.) The higher the number of contingent faculty means the fewer full-time faculty to do all these extras, and this reality is pretty much ignored at the administrative level where, apparently, there is the mistaken notion that faculty time is fungible.

The second issue I'd like to discuss concerns the decision-making process with respect to academic programs and the curriculum.

The University System of Maryland's Policies and Procedures states that "At all institutions, faculty will have a primary role in the development of academic policies through representative bodies advisory to the chief executive officer or designees of the institution. The faculty handbook shall include a statement emphasizing that faculty role" (Section II--3.00--Statement on the Role of Faculty in the Development of Academic Policy). Chapter 5.1 of the BSU Handbook explains the relationship between academic freedom and teaching and makes many important points about why curriculum and standards must be primarily faculty-driven. Among them is the simple but important fact that faculty are experts in their academic fields and are therefore "uniquely qualified to determine the directions and standards of their profession." At BSU, however, we see an increasing penchant for administrative fiat that simply strip faculty of this primary role in the development, implementation, and curation of the curriculum.

An example is in order. Traditionally about 30-35% of incoming first-year students at BSU need some form of remedial work in English composition. This is not unique to our institution; the Kirwin Commission's report established the growing need for remedial classes in higher education across the state, so this should come as no shock to anyone. At BSU, we pride ourselves on providing educational opportunities for students who might not otherwise have access to a baccalaureate degree. It is a role that faculty at BSU have cherished and in which we considered ourselves second to none and for which we make no apologies. When administrators came to us and directed us to phase out our remedial composition courses, we had many misgivings but nevertheless worked in good faith to put together a plan to do so. I won't go into all the details, but the original plan would have required students who needed remediation of their writing skills to enroll in a 4-credit course of 1st-semester composition in lieu of taking an entirely remedial course (with no college credits) their first semester. We vetted this plan through the English Department Curriculum Committee, the College of Arts and Sciences Curriculum Committee, the General Education Committee, and the Faculty Senate. In other words, the whole faculty body approved this plan. That was in 2017. A few provosts came and went with none of them signing off on this curricular change. Meanwhile, we continued to offer our remedial composition course. Then, in Fall of 2020, under cover of the pandemic, in what I can characterize only as a "shock doctrine" move, BSU administration unilaterally discontinued the remedial course. They even discontinued placement testing and collecting SAT scores with the result that we no longer even had the resources to determine the reading and writing levels of the incoming cohorts. (So much for administration's claims of being "data driven.") The results of the "one-room schoolhouse" approach that we were forced into have been disastrous, with failure rates among unprepared students skyrocketing and class content diluted for students who are prepared. We have remonstrated with administration by providing data and case studies to bolster our position, and otherwise engaged in good faith efforts to move the needle on this issue, but, as of January 2025, to no avail. Administrators who have little understanding of our students' needs and have never taught 1st-year composition to struggling students have no business making these cynical and harmful decisions about the curriculum. But again, without the teeth of a collective bargaining agreement, administrators, in various postures of misguidedness, will continue to enforce decisions poorly thought out because they are made without regard for faculty expertise.

Collective bargaining would be the first step in levelling the playing field so that USM institutions could make real progress in addressing the issues that actually matter. Asymmetrical power in negotiations between parties, since it allows the more powerful to dispense with accountability, rational analysis, pluralistic approaches, and even moral considerations, stands in direct contradiction to the very principles upon which the rationale of the university rests, which is the disinterested search for truth, the establishment of knowledge, and the empowerment of all constituents, not just a few. Accountability is not a one-way street. I have watched over the years as administrators trundle out their carefully staged and controlled "townhall meetings" in order to engage in a kind of self-sanctification of their agendas. They think that these spectacles absolve them of the difficult task of winning hearts and minds with argumentation, data, and logic--all the things that we in academia must honor or lose all credibility.

This is why I maintain that the right to bargain collectively is not only a labor issue; it is a freedom and democracy issue and an indispensable cornerstone of institutional legitimacy. I urge you, therefore, to vote to approve the bills guaranteeing this fundamental right in the state of Maryland.

Sincerely,

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This testimony has been submitted on behalf of this individual by the United Academics of Maryland.