



**UFF FAMU
OFFICERS**

President
Elizabeth Davenport, Senator

VP for Grievances
James Muchovej, Senator

VP for Membership
Perry Brown, Senator

Treasurer
Raquista Claitt, Senator

Secretary
Mitwe Musingo, Senator

DRS Representatives
Raquista Claitt, Senator
Sylvester Peck, Senator

UFF Senators
Clyde Ashley
Sylvester Peck
Nandi Riley
Gaynell Sherrod
Roscoe Hightower

Alternate Senator
Angela Thornton

FEA Delegates
Perry Brown
Raquista Claitt
Elizabeth Davenport
Sylvester Peck
Nandi Riley

INSIDE THIS ISSUE

Let's Man Up	1
Will the Board.....	2
DRS Contract	3
Will the Board	3
Let's Talk	4
Termination	5
UFF FAMU Application	6

UFF FAMU

United Faculty of Florida *Florida Agricultural and Mechanical University*

The Florida A&M University Chapter of the United Faculty of Florida
204 Jackson Davis Hall, Tallahassee FL 32307, Ph. (850) 599-3142, famuff@lycos.com, www.uff-famu.org

NEWSLETTER

DECEMBER 2011

LET'S MAN UP

Colleagues,

Recently, after a meeting of liked minded colleagues, we discussed the state of the university and the generally feelings of apathy that are permeating our very soul. It was agreed that our economic struggles have led us to entrenchment and isolation, and that the emphasis on our own personal economic struggles have shifted us from "we" to "me." Further, after noting that we all felt this change, many of us had chosen not to advocate our dissatisfaction and took the road of silence.

However, recent local, state and national attention should make us ALL realize that our problems cannot be cured by a few and it is only through ALL of us being active participants in our fate that we can truly operate through "excellence with caring." It is not them or they, but we



who are the masters of our fate. Our job, as educators, is to model acceptable behavior for all: students, other faculty, the administration and the Board of Trustees. We must realize that to see injustice and not to report it or speak against it, only furthers this unfairness. For us to see inequality and not attempt to correct it, makes us all responsible for the wrong doing. We are a community, and as such members we also have both rights and responsibilities. Many issues impact the ability of the community to act effectively, such as poor leadership, lack of direction, lack of focus, power plays within different groups, lack of communication, and ineffective planning.

Moreover, UFF FAMU is deeply saddened to hear of the passing of Florida A&M University Marching 100 drum major, Robert Champion. Our most sincere condolences are with the Champion Family and the Florida A&M University community. We are first and foremost an academic community and we hope this sad set of circumstances will be handled within the rules of that arena. Second, when a practice (hazing) has existed since the 1950's, as Dr. Julian White states in his response to his firing, then a major shift must occur to change this practice. As the Florida Civil Rights Association (whose statement is attached to this email) states

(Con't p. 2)





LET'S MAN UP (CON'T)

“the good old days of providing a sanctuary to leaders when bad things goes seriously wrong in our education system is over. We must hold the responsible parties accountable...” and work toward a reasoned decision. . We must hold the responsible parties accountable...” and work toward a reasonable decision. Therefore, the finger pointing must stop.

Malcolm X once said you're either part of the problem or part of the solution. We urge you as faculty to be a part of the solution by doing the following:

- 1) Standing up against blind allegiance and the emphasis on relation “ships” that have impeded our progress
- 2) Striving for the betterment of our student body through examples and effective mentorship
- 3) Actively upholding our professions through service, scholarship, and professional development, and
- 4) Opening our collective minds to let new thoughts, ideas, and people in.

Walter M. Kimbrough, a national expert on hazing, said in the November 26th edition of *The Atlanta Journal Constitution*, “If this was a fraternity death, the chapter gets suspended. That is the boldest most controversial step the school could make...But it is the right thing to do. This is the most famous university band in the country, black or white. How do you deal with this entity that is the face of the university?” We hope that the solution, whatever it is, does not dash the hopes and dreams of our young musicians. However, it is only through introspection that we can make the cultural change needed for this university to develop the millennial Famuan and rise above this tragedy. Yours in the Struggle....

Elizabeth K. Davenport

Elizabeth K. Davenport
President



Will the Board of Trustees Stand Up?

Under Florida Statutes, Sections 1001.71-1001.74, the Boards of Trustees are accorded responsibility to administer the university, and are established as public corporate bodies; and are accorded specific authority to broadly accomplish their responsibilities. Regulations of the Florida Board of Governors provide even broader duties.

Therefore, the Florida A&M University Board of Trustees is vested with a broad range of authority and responsibilities for governing and managing this university and its specific powers and duties, including responsibility for making cost-effective policy decisions, authority to adopt rules, authority to acquire and to dispose of real and personal property and for controlling college-owned property, responsibility to establish degree programs, and authority and responsibility to do all things necessary to administer the affairs of FAMU. The Board has the authority to take action whether recommended by the President or not, and can direct the President to deliver all information required by the Board.

However, in the handling of the Champion tragedy and the President’s contract, the unequal distribution of power between the Board of Trustees and the President has become quite evident. In this instance, who exactly is the employer and who is the employee? In the words of Solomon L. Badger III, chairman of the board, “is the tail wagging the dog?”

(Con’t p. 3)

DRS NEAR CONTRACT

Questions from the field



If you have any questions, comments, or concerns, don't hesitate to contact your UFF representatives through face-to-face, telephone, and/or e-mail conversation. We strive to have a transparent and effective Union. We are, after all, representing you. Please remember, there is strength in numbers. If you are not a member, JOIN TODAY! If you are a member, please encourage your colleagues to JOIN TODAY!



For eight years, DRS faculty have been regulated by the old Blue Book. They are the only faculty in the State University System (SUS) that have never negotiated a successor contract. After our last negotiation session, they still maintain this record.

Article 23 (Compensation) and Evaluation (Article 10) is still open. DRS Race to the Top grant and the requirement of Senate Bill 736 require that DRS have an evaluation system that is based on student learning growth assessed annually

and measured by statewide assessment or, for subjects not measured by statewide assessment, tests by district assessments (as described in Section 1008.22 8 F.S.).

Let's hope we can finish contract negotiations on December 12th



Will the Board of Trustees Stand Up? (Con't)

This is my tenth year as a member of the FAMU faculty, and I have NEVER experienced a take-charge Board of Trustees. Decisions appear to be merely rubber stamped after little or no discussion. Let's remember that Dr. Castelle Bryant left this city with a big bag of money---a bonus for audit results that were simply untrue, while leaving this university's reputation in tatters.

The Board of Trustees who hired Dr. Ammons created an unequal power relationship between the Board of Trustees and the President when negotiating his contract, subjecting this university to ridicule in a national educational newspaper. Finally, it took an entire year for President Ammons to agree to change items in his contract, contrary to the best interest of this university, and only after local, state, and national attention.

We need an activist Board of Trustees who makes decisions in the best interests of the university. Board members, who agree with this statement, please stand up!

Happy Holidays....See you next year!



Mr. President, Let's Talk

On November 17, 2011, UFF FAMU sent Dr. James Ammons the following letter:

Dear President Ammons:

The purpose of this letter is to request a consultation under Article 2.1 of the Collective Bargaining Agreement with the Florida A&M University Board of Trustees and the United Faculty of Florida-FAMU. The topics to be discussed for Fall consultation are:

- The status and policy on the retention of Visiting Professors
- Status of Summer school
- Faculty input and participation in implementing the restructuring process and the monitoring of it to ensure effectiveness and minimum negative impact on students, faculty, and quality of our programs.
- The need to have genuine input from the faculty in the short-term and long-term planning for the growth and development of FAMU (one year; five years; ten years; and twenty years strategic planning efforts).
- The need for FAMU faculty to have an extended dialogue with you (a Town Hall meeting to discuss the State of the University). We believe that the Faculty Senate is requesting this meeting per the University Constitution and UFF FAMU supports this request.
- Enrollment management efforts and how does the university believe that it can increase enrollment without and an increase in faculty?

- Whether the Administration or the Board of Trustees will provide reimbursement to faculty of the 3% retirement tax that went into effect on July 1, 2011.

We seek the resolution of the following problems:

- Problems getting accurate bargaining unit lists
- Problems getting ANY bargaining unit list
- Problems with processing of membership applications
- FAMU investment in faculty development and travel
- Adjunct hiring—the right of refusal.
- Board ratification of the contract at their December meeting.

Please schedule approximately two hours for this discussion.

Respectfully,

Elizabeth K. Davenport

President
UFF FAMU

This request has not been acknowledged, and given the controversies facing this university, we have no idea when the meeting will be scheduled. However, pursuant to the Collective Bargaining Agreement, your Union has a right to a consultation with the President during the Fall, Spring, and Summer semesters and will continue to advance your views at every opportunity. We will keep you informed of our progress in adhering to the terms of the contract.



HOW CAN A TENURED PROFESSOR'S EMPLOYMENT STATUS BE TERMINATED?

Many people have asked during our current state of unrest how and when a tenured faculty member can be dismissed? Prior to answering this question, we must first state that Dr. Julian White, although a member of the faculty unit (a tenured professor) is not a member of United Faculty of Florida FAMU (UFF FAMU) and as such, we **WILL NOT** represent him in his claim against the University. However, he has Collective Bargaining protections that all faculty members receive.

Article 16.3 specifically states:

When the President or representative has reason to believe that a suspension or termination should be imposed, the President or representative shall provide the employee with a written notice of the proposed action and the reasons therefore. Such notice shall be sent certified mail, return receipt requested, or delivered in person with written documentation of receipt obtained.

From information obtained from newspaper articles, it appears this action has already occurred.

Under Section 16.4, if Dr. White, had been a UFF FAMU member, he would have had a right to union representation during the investigatory questioning that is reasonably expected to result in disciplinary action, in this case job termination. In addition, under this same Article, all notices of disciplinary action provided to the faculty member should include a statement advising him or her that the action is subject to Article 20, Grievance Procedures. Finally, pursuant to Article 16.5, a tenured or permanent faculty member, like Dr. White, must be given written notice of termination at least six (6) months in advance of the effective date, except that in cases where the President or representative determines that a faculty member's actions adversely affect the functioning of the university or jeopardize the safety or welfare of the faculty, colleagues, or students. No faculty can be terminated without just cause. Just cause shall be defined as: (1) incompetence, or (2) misconduct. No faculty member can be summarily dismissed in violation of his due process rights and his rights under the 2007-2009 Collective Bargaining Agreement.

Why is this recitation of your termination rights important? Well, we refer you to the facts of two cases; Faculty Member A and Faculty Member B who were terminated from their positions. In the case of Faculty Member A, he was a UFF FAMU member, was represented by the Union and our attorney (for the cost of \$30,000) and is awaiting his arbitration decision. Faculty Member B was not a UFF FAMU member, paid his attorney \$30,000, and lost his case.

When you think about whether you should join UFF FAMU, would you rather be Faculty Member A or B? You can pay a small amount for dues or you can pay for an attorney. Do you think dismissal for cause cannot happen to you? Go by the UFF state office in downtown Tallahassee and ask the staff to show you their cabinet of "it will not happen to me" cases. Membership does have it privileges—professional, expert representation.

UFF FAMU OFFICE HOURS

To make ourselves more available to our members, UFF FAMU has initiated daily office hours at 204 Jackson Davis Hall. If you cannot contact us via phone, stop by our office. *We are here to serve you!*

The office hours are:

- Tuesday: 11:00 a.m. - 12:00 p.m.
- Wednesday: 10:00 a.m. - 12:00 p.m.
- Thursday: 11:00 a.m. - 12:00 p.m.
- Friday: 10:00 a.m. - 2:00 p.m.



Contact Your Representatives

Consider joining our team of School/College Representatives. A current listing of school/college representatives is found below. If you are interested in becoming a member of this dynamic team, please contact Perry Brown at [per-ry.brown@famuedu](mailto:perry.brown@famuedu)

College of Arts and Sciences
Nandi Riley [Nandi_Riley@hotmail.com]

**College of Engineering Sciences,
Technology and Agriculture**
James Muchovej [purchio@gmail.com]

School of Business and Industry
Rosemary Bailey [baileyr49@comcast.net]

School of Allied Health
Lon' Tejuana Cooper
[iseemore@embarqmail.com]

College of Education
Alice Scruggs [am_scruggs@yahoo.com]

**College of Pharmacy and
Pharmaceutical Sciences**
Angela Thornton [angela.thornton@famuedu]

School of Nursing
Doris Ballard Ferguson
[doris.ballardferguso@famuedu]

**School of Journalism and
Graphic Communication**
Dhyana Ziegler [dhyz@aol.com]

College of Engineering
Simone Hruda [simone.hruda@famuedu]

UFF Membership Form
UFF dues are 1% of bi-weekly salary.

Please Print Complete Information

United Faculty of Florida FAMU Chapter	
_____	_____
Last Name First Name MI	Department or Unit
_____	_____
Home Street Address	Campus Address & Mail Code
_____	_____
City State Zip Code	Office Phone _____ Home/Cell Phone _____
_____	_____
E-mail address: Personal/Home	E-mail address -- Office
_____	_____

Please enroll me immediately as a member of the United Faculty of Florida (FEA, NEA-AFT, AFL-CIO). I hereby authorize my employer to begin bi-weekly payroll deduction of United Faculty of Florida dues (1% of bi-weekly salary). This deduction authorization shall continue until revoked by me at any time upon 30 days written notice to FAMU's payroll office and to the United Faculty of Florida.

Signature (for payroll deduction authorization)

Today's Date

Membership is in your best interest!