

NHCC United Faculty

September 1986

Union Member Wins Teaching Award

Congratulations to Allen Vogt for being one of three NHCC faculty members to win a Teaching Award for the 1985-86 term. Dr. Vogt, who recently completed his doctoral studies at the University of Houston, is a charter member of the NHCC United Faculty and a faithful supporter of the union's causes. We are proud to have such distinguished people among our ranks.

Election of Officers

In its May meeting the union elected the following faculty members to leadership positions.

Alan Hall - President
Carolyn Davis - Vice President
Olin Joynton - Secretary
Allen Vogt - Treasurer

Outgoing officers are Pat Gray and Bob Locander. We appreciate your service.

Mayberry Case Update

by Olin Joynton

On June 9, 1986, Dr. Airola met with Bliss Mayberry to bring about a resolution of her grievance. To our great satisfaction, we can report that he found in her favor, thus overturning the recommendations of her Division Head, Dean, and President that she be demoted to a one-year untenured contract. As a union member Ms. Mayberry asked for and received much support in her campaign to save her career. Special mention is due for the efforts of the following members of her guild:

- 1) Alan Hall served as her representative in meetings with Drs. McMillian and Phillips.
- 2) Robert Miller was the person whom she appointed to the special committee reporting to Dr. Airola on the matter.
- 3) Kevin Bailey wrote an article in her defense for the April Advocate.
- 4) Bob Locander worked with the state TUF leaders in lining up legal counsel.

b. It was also noteworthy that there was extensive cooperation between officers of the NHCC United Faculty and officers of the NHCC Faculty Senate on Ms. Mayberry's behalf. We look forward to opportunities of working together in the future.

We applaud Dr. Airola's courageous decision. Justice has been done. Ms. Mayberry has a good record of performance according to her official evaluations, and it was on the basis of that record that she got union support. We understand that changes in the faculty evaluation procedure are in the works. It may well be that the present system can be improved. But until a new system is approved, administrators have a duty to rely on the present system, not attempt to circumvent it.

In Texas, three types of contractual arrangements traditionally exist at educational institutions. First is the term contract. This provides employment for a specific length of time. In most institutions contracts are for one year, but in a few they may go as long as five years. In the latter situation the arrangement is often referred to as a multiple year contract.

A second contractual arrangement is the use of probationary and continuing contracts. In this situation, one is first employed under a probationary contract for up to three years. Upon completion of the probationary period, one is either terminated or advanced to a continuing contract which continues year to year without having to be renewed periodically.

The third type of contractual arrangement is the university tenure system. This is where a person, after serving an initial probationary period, has the right to continuous employment which can be revoked only for cause, which is usually very limited in scope.

What type of contractual arrangement exists at NHCC? Our system does not clearly fit into any one of the traditional types but instead seems to be an amalgamation of elements of all three. Tenure at NHCC is described as a continuing contract for two years that must be renewed annually. In a document issued directing the appointment of a fact-finding and review committee for the Mayberry case, Dr. Airola characterized our system as one of "fixed term contract[s]" or "term tenure." This, he says, is "in lieu of the ~~traditional or typical tenure system.~~"

There are two main problems with using an idiosyncratic system like ours. First, contract law and the Texas Education Code are written with the traditional arrangements in mind, and so they leave us in the dark about many legal questions that could arise concerning our system. Second, speaking of tenure in a nontraditional sense creates ambiguities and allows administrators to shift their interpretations from occasion to occasion as their interests change. Bliss Mayberry was almost victimized by these problems in our system. Our tenure policies need to be reviewed and revised before another such case comes along.