

March 2020

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Recommended Citation

Murphy, Laura and Akins, Leah M. (2020) "Maintaining peer-based faculty evaluation: a case study involving student surveys of teaching," *Journal of Collective Bargaining in the Academy*. Vol. 11 , Article 4. Available at: <https://thekeep.eiu.edu/jcba/vol11/iss1/4>

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Cover Page Footnote

Bargaining regarding faculty evaluation is challenging in an environment in which administrators throughout higher education have successfully imposed corporate-style forms of evaluation and supervision that many have come to accept as normal, despite their incompatibility with principles of academic freedom and peer-review. Student surveys of teaching are increasingly central to this management strategy, despite the growing body of evidence indicating bias against historically marginalized groups in student survey results. This paper presents a case study of contract negotiations undertaken in 2016 at Dutchess Community College (SUNY) in Poughkeepsie, New York. During these negotiations the college administration sought to expand the use of “student evaluations of teaching” (SET) despite significant evidence that student feedback provides limited meaningful evaluative content concerning teaching and is shaped by gender, racial, and ethnic bias, as well as bias against academic rigor. We describe our effort to maintain a peer-based evaluation of student survey data, including the published research we used during negotiations and our experience with interest-based bargaining. We also analyze the strengths and weaknesses of our approach and results. These results include a successful effort to maintain the practice of limiting review of qualitative student feedback to peer-based review between faculty and department chairs within academic departments, although there was a limited but significant expansion of administrative oversight of some quantitative student survey data. Additionally, we were able to restrict the role of student feedback with contract language that limits the use of student survey results in faculty evaluation and requires that all consideration of these data be undertaken with evidence-based insight that student feedback is an important but limited vehicle for understanding the effectiveness of an individual’s teaching. Finally, an all-faculty committee of full-time and part-time faculty charged with evaluating the survey form and process was contractually established.

Maintaining Peer-Based Faculty Evaluation: A Case Study Involving Student Surveys of Teaching

Leah Akins¹ and Laura Murphy²

Background

During the 2016 contract negotiations between Dutchess United Educators³ (DUE) and the college administration, DUE negotiators were confronted with a demand from the college president to change the long-established process of faculty evaluation and use of Student Surveys of Teaching⁴ (SST) that would affect both full-time and part-time faculty. The decades-old full-time faculty evaluation process involved two reports produced by the faculty member's department chair and submitted to the Dean of Academic Affairs: (1) a classroom observation report and (2) a professional development report (PDR) that covered teaching effectiveness, student advisement, professional activities, contributions to the department and college, and community involvement. Additionally, student surveys of teaching were administered on paper in all course sections every spring, with results going to the faculty member's department chair, and eventually returned to the faculty member. These surveys included statements to be rated on a Likert scale as well as opportunities for students to respond to reflective questions. Survey data were not compiled or quantified, but were used by department chairs to inform their commentary on teaching effectiveness in the PDR and/or to generate conversations about teaching. No results were submitted to the Office of Academic Affairs (OAA). For part-time faculty, the SSTs were typically administered in all the course sections the part-time faculty member taught. Again, the survey data were not compiled or quantified but were used to inform conversations about teaching effectiveness between the faculty member and their supervisor.

The demand from administration during negotiations was that survey data needed to be submitted to OAA to assure that student voice was clearly a part of the process of evaluating faculty. Even though the negotiations went on for two years (2014-2016, with a one-year contract agreed for 2015 - 2016, before eventual agreement on a four-year contract for 2016 -

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⁴ At DCC what are commonly known elsewhere as Student Evaluations of Teaching (SETs) are referred to as "surveys," because the term is believed to be more accurate, as explained in the text.

2020), pressure concerning SSTs was a recurring theme. To address this concern, union and college negotiators agreed to research the matter and make evidence-based decisions to resolve the disagreement. At the time, Dr. Akins served on the negotiating team for the Full-time Faculty and Staff 2016 - 2020 contract and Dr. Murphy served on the negotiating team for the Part-time Faculty and Staff 2016-2020 contract. For the purpose of collecting research and formulating our arguments, DUE's chief negotiators formed a Joint Subcommittee on Faculty Evaluations made up of members of both the full-time and part-time union and management teams. Both Akins and Murphy served on this sub-committee and led the research effort.

Research

Our study of the research on student surveys quickly led us to an ever-expanding body of scholarship indicating that student surveys do not reliably measure the quality of teaching. While student opinions about their educational experiences are important and valuable, numerous studies demonstrate that students are not qualified to judge teaching effectiveness. In addition, research indicates that survey results are influenced by the gender, race, ethnicity, and perceived attractiveness of the instructor. For example, Boring, Ottoboni, and Stark (2016) write that “SET are biased against female instructors by an amount that is large and statistically significant,” and “gender biases can be large enough to cause more effective instructors to get lower SET than less effective instructors.” They argue that “it is not possible to adjust for the bias, because it depends on so many factors.” There is also evidence to suggest that the academic rigor of a course, as well as a student's desire to take a course and how much prior knowledge student has about a subject impact survey results (Benton & Ryalls, 2016). In addition, any implementation of student surveys with low response rates, such as commonly occurs when surveys are delivered online, is statistically problematic, further distorting the data (Stark & Freishtat, 2014). See Appendix A for a list of other articles consulted for contract negotiations and subsequent Evaluation Committee work, but not specifically cited.

Since our negotiations concluded in 2016, the pervasiveness of problems with using student surveys in faculty evaluation has become increasingly apparent. The growing body of evidence led the American Sociological Association (ASA) to issue a formal “Statement on Student Evaluations of Teaching” in September 2019. Twenty-one additional professional organizations have endorsed the statement, including the American Historical Association, the American Political Science Association, the Latin American Studies Association, and the Middle East Studies Association (p. 1). The ASA writes that “[d]espite the ubiquity of SETs, a growing body of evidence suggests that their use in personnel decisions is problematic,” because “SETs are weakly related to other measures of teaching effectiveness and student learning,” “they are used in statistically problematic ways,” and, “they can be influenced by course characteristics like

time of day, subject, class size, and whether the course is required, all of which are unrelated to teaching effectiveness (p. 1).” The ASA further asserts that

[a] scholarly consensus has emerged that using SETs as the primary measure of teaching effectiveness in faculty review processes can systematically disadvantage faculty from marginalized groups. This can be especially consequential for contingent faculty for whom a small difference in average scores can mean the difference between contract renewal and dismissal (p. 1).

The ASA statement affirms that unions have legitimate concerns about the impact of survey use on the quality of students’ education and faculty working conditions, and thus good reason to resist management efforts to expand student survey use in faculty evaluation.

Based on our review of available scholarship at the time of our negotiations, we concluded that our then-present system of faculty evaluation utilized student surveys in a way that was best-suited to provide faculty with the opportunity to gain what is valuable about student opinions expressed in surveys while minimizing damage to academic freedom and academic integrity and minimizing discrimination against faculty who are rated lower on surveys for reasons that have nothing to do with their teaching effectiveness, or are even rated lower *because* they are effective teachers.

Negotiations Framework

The negotiations process was based on interest-based bargaining (IBB) principles whereby both parties agree on shared interests and the support materials to inform decision making. Neither the union nor the college administration, both under new executive leadership since the prior contract negotiations, were knowledgeable or experienced with IBB. However, since past negotiations were predominantly transactional, and at times adversarial, and the new presidents on both sides of the table were eager to work positively together on behalf of the institution, change in approach seemed warranted.

To the uninitiated, interest-based bargaining, also called mutual-gains bargaining, has a noble allure. As AAUP Senior Labor Advisor Michael Mauer points out in *Academic Collective Bargaining*, “[w]hen the union is dealing with an enlightened employer ... mutual-gains bargaining can be an excellent tool” and “can enable the union to get information that it might otherwise not have” He also points out that IBB may lead to “creative and comprehensive solutions.” When implementing interest-based bargaining, both parties work “cooperatively to come up with mutually satisfactory resolutions to the issues before them” and “all items on the

table are seen as problems to be solved creatively by both parties” (Benjamin & Mauer, 2006, p. 194).

Mauer also points out, however, that all participants in this process “often undergo preparatory orientation by a facilitator” (Benjamin & Mauer, 2006, p. 194). Follow-up conversation with Mauer on the topic revealed the critical importance of the orientation and facilitator. Orientation typically requires multiple days of training with required attendance of all negotiating team members from both sides and agreement on rules of engagement including the acquisition and sharing of support and research materials. Additionally, the facilitator is often used for negotiating sessions. The orientation builds skill and trust in fair and equitable application of IBB principles and the facilitator assists the teams in that application both in preparation for and during negotiations. Perhaps naively, we based our negotiations process on IBB principles without fully embracing the processes needed to reap the benefits. Much of the purported transparency of the IBB process, in contrast to position-based bargaining, relates to the sharing among all participants of support and research materials, which are used collectively to develop innovative solutions and evidence-based decision-making. But without an IBB orientation, during which an agreement by both parties on fair use of research materials shared for evidence-based decision making would have been established, and without a facilitator to provide perspective on actions oppositional to IBB principles, there was no mechanism to assure fairness and equity regarding access to and use of information.

Instead, the teams based their understanding of IBB from reading and discussing *Getting to Yes: Negotiating Agreement Without Giving In* by Roger Fisher and William Ury, first published in 1981. The college president suggested a common read of the book prior to the commencement of negotiations and approximately 25 people including faculty, staff, and a college trustee engaged in scheduled book discussions. Although concerns were raised by union members about the application of the book’s principles to the academic setting, given that the book focused on business or personal settings, the union negotiating team agreed with the college president’s vision to conduct a different kind of negotiation, one that was framed collaboratively rather than one that was adversarial. Our limited understanding of the IBB process meant that we would agree on a shared interest, separately perform research on the topic including data collection and analysis, share with the other side our research and analysis, then discuss our differences to find what we all could agree to.

Additionally, the leadership on both sides agreed that in order to build trust in a process that presumed all participants would be brainstorming creative solutions together, all participants needed to be able to speak freely at the negotiating table, and thus a confidentiality agreement was imposed on all team members. According to this agreement, negotiators for both the union and management agreed not to discuss the relevant details of specific proposals with their

constituent groups, and bargaining sessions were closed: only members of the bargaining teams were allowed to attend. In retrospect, the eagerness on the part of union leadership to work in harmony with the new president by adopting this interest-based-adjacent negotiating approach, along with the imposed “gag order” and closed bargaining sessions, worked to limit the use of traditional and effective tools, such as member mobilization, which unions often employ during negotiations. This caution about IBB or mutual-gains bargaining was offered by Michael Mauer: “[u]nlike traditional bargaining, where the union has substantial incentive to keep its members aware of what is going on at the bargaining table, the mutual-gains approach emphasizes building trust instead of staking out positions and drawing lines at the table” (Benjamin & Mauer, 2006, p. 194-195). He goes on to say that this can lead to the union being unprepared to mobilize the members on short notice when the assumptions of working collaboratively break down. This is precisely what we experienced.

The Battle Over Student Voice

Within the framework for negotiations described in the previous section, we tackled faculty evaluation. There was agreement around the table that student voice had a role in evaluating the effectiveness of a faculty member, so both sides appeared to have a “shared interest” of assuring a student voice component to faculty evaluation. Then both sides undertook research and shared results. We researched important questions about evaluations of SETs, or, as referred to at DCC, SSTs. While our review of literature on the role of student surveys in faculty evaluation led us to a substantial list of current academic research, the administration shared a limited number of articles including outdated publications, articles drawing from outdated data and analysis, and published material crafted by organizations that benefit financially from “quantifying” student feedback.⁵

When confronted with evidence, including from the very same documents supplied by the administration, that the decades-long trend outside of our institution to collect, quantify, and elevate the numerical significance of student feedback is problematic, the administration was not swayed. In negotiations, we focused on two conclusions from the research: (1) students are generally not effective evaluators of teaching practice, and (2) student bias stemming from a

⁵ The administration provided three articles. The first, “The Professional Evaluation of Teaching” by James England, Pat Hutchings, and Wilbert J. McKeachie was published in the *American Council of Learned Societies* in 1996 and did not reflect recent research (http://archives.acls.org/op/33_Professional_Evaluation_of_Teaching.htm). A second article (cited above) by Stephen L. Benton and Kenneth R. Ryalls, was produced by *IDEA*, a vendor of SETs. According to their website (<http://www.ideaedu.org/>), “IDEA is a nonprofit organization dedicated to improving student learning in higher education through analytics, resources, and advice.” The third article was the most helpful: “Less-Than-Perfect Judges: Evaluating Student Evaluations,” by Susanna Calkins and Marina Micari, was published in *Thought and Action* in the Fall of 2010) (<http://www.nea.org/assets/img/PubThoughtAndAction/TA10CalkinsMicariR.pdf>).

multiple of possible sources leads to data biased against women, faculty of color, faculty teaching in STEM fields, faculty teaching core requirement courses, and more. We pointed out that while DCC's use of SSTs within the faculty evaluation process was outside the current norm in higher education where SET data are quantified and used to make important decisions of tenure and promotion, the research is now showing that our model may have been more effective, in that it likely minimized the impact of bias and was more consistent with professional standards of academic freedom and peer-review.

The conflict centered on the use of student voice in the faculty evaluation process, specifically what data about student feedback would be collected and shared with management and how those data would be utilized. That conflict was not only with management but also with other faculty negotiators. The inclination of faculty and administrators alike to subjugate the research in favor of an emotional pitch to satisfy the "customer," otherwise known as the student, was discouraging. For administrators and faculty who believe that great teachers always get positive feedback from students, research that challenges that viewpoint requires empathy and a willingness to admit that teaching is a complicated undertaking with multiple factors influencing outcomes. It is because teaching is complicated that students are not effective evaluators of teaching effectiveness and that their feedback has limited usefulness in the faculty evaluation process. This is precisely why we stress that student feedback comes in the form of an opinion survey rather than an evaluation. We found that administrators leaned toward satisfying the "customer" and thus wanted to be able to closely monitor student opinion. Also, because of the silence agreement, discussion was limited to the negotiation teams that encompassed a small group of faculty who had limited experience with problematic student feedback but would have greatly benefited from discussion with faculty outside of negotiations on the topic. With some unintended help from the administration, we were eventually able to convince faculty negotiators to support our position that the administration's proposal would likely be damaging to faculty and the quality of education at DCC. Even though there was a "gag order" on negotiation topics, the college president spoke with a faculty member about the student survey discussion, which got back to the union president and lead negotiator. This breach of the silence agreement created an opportunity for union negotiators to gain some faculty feedback and leverage to push back on the administration's plan. The administration's lack of receptiveness to evidence that challenged their assumptions, however, along with the silence agreement limiting the extent of our ability to mobilize faculty, constrained our negotiating position. The administration asserted that they would not agree to a contract that did not mandate that data from those surveys had to be given to the Office of Academic Affairs. With the union leadership convinced that there was no possibility of getting a signed contract without dealing with the student surveys of teaching and thus the faculty evaluation process, we were cornered into developing a proposal that included providing some direct student feedback to the administration.

Why Language Matters

Before detailing the final contract language agreed to through the negotiations process, it is worthwhile to highlight the importance of the fact that we maintained the historical position at DCC of titling the form that goes to students as “Student Survey of Teaching.” Students, faculty, and administrators alike commonly refer to these documents as “student evaluations” thus, in their own words, misrepresenting the purpose of the undertaking. The simple step of calling this document by its name every time we refer to it would go a long way in properly framing the tool’s role. Our insistence on maintaining the term “surveys” has since been supported by the 2019 ASA statement, which recommends that “[q]uestions on SETs should focus on student experiences, and the instruments should be framed as an opportunity for student feedback, rather than an opportunity for formal ratings of teaching effectiveness,” and the ASA notes that several institutions have revised their processes and removed the word “evaluation” from their instruments (p.1).

Although the results from negotiations were a compromise, and therefore included content that we opposed, the research we undertook was central in crafting evidence-based contract language that minimizes the damaging effects of the new provisions. The primary features of the contract language are:

- A statement of purpose for the faculty evaluation process that focuses on assisting faculty with their growth and development as educators. “The purpose of professional evaluations shall be to recognize and encourage outstanding professional performance by providing a process that includes supervisory, peer, and self-review.” (2016-2020 Full-time Contract, p. 24)
- A statement of purpose for collecting student feedback through the student survey of teaching process. “The Student Survey of Teaching process provides a mechanism to bring the student voice in to the faculty evaluation process (see section 7.02). As is the case throughout the evaluation process, the intent and purpose is to use this information to assist the faculty member in his/her growth and development as an educator.” (2016-2020 Full-time Contract, p. 53)
- A statement of concern about the inherent biases that research shows impact student survey responses. “All consideration of these data shall be undertaken with the understanding that student feedback is an important but limited vehicle for understanding the effectiveness of an individual’s teaching. All faculty and administrative supervisors’ evaluation of student survey results will be informed by a clear understanding of the research that demonstrates that student survey responses may reflect biases based on gender, race, sexual orientation, appearance, academic rigor, subject matter of the course, and students’ desire to take the course, work habits, and confidence about and prior knowledge of the subject matter. Therefore, data can be used to guide future professional development and shall not be used to initiate disciplinary procedures.” (2016-2020 Full-time Contract, p. 53)

- Added contract language to provide more detail about the faculty evaluation process as a peer-based system that considers student surveys as a factor for discussion concerning professional development but not a main factor in tenure and promotion decisions.
- Survey questions that research suggests could contextualize bias in results. (See current form of survey in appendix of this paper).
- Limitations on the portions of the survey responses going to the administration (Part A). “Part A of the Student Survey of Teaching must consist of statements that the union and management have agreed are more likely to lead to reliable student response.” (2016-2020 Full-time Contract, p. 54)
- Limitations on the use of surveys in the faculty evaluation process. “These data can only be used by OAA to initiate a conversation with the department chair to discuss institutional and departmental trends.” (2016-2020 Full-time Contract, p. 54)

“The quantitative data collected from Part A of the Student Survey of Teaching shall not be included in any PDR [Professional Development Report], tenure application, or promotion application.” (2016-2020 Full-time Contract, p. 54)

- A faculty-only committee to review and offer recommendations for labor-management negotiations about the student survey of teaching form and the evaluation process. “The Student Survey of Teaching form and process shall be annually reviewed by an all-faculty committee. This DUE committee will consist of faculty members from a range of academic disciplines, including at least two part-time faculty members, and including two faculty who specifically represent DUE. Hereafter, the committee is referred to as the Evaluation Committee.” (2016-2020 Full-time Contract, p. 53)

“Any revision to any portion of the form or process that is recommended by the Evaluation Committee and approved by the Office of Academic Affairs shall be formally negotiated between DUE and the College prior to implementation.” (2016-2020 Full-time Contract, p. 53)

Since the student survey form is the same for all faculty, much of the same contract language is included in the part-time faculty contract. Additionally, the part-time faculty contract states: “[survey] data can be used to guide future professional development and shall not be used to initiate disciplinary procedures.”⁶

Reflections on Approach and Outcomes:

As a post-mortem to contract negotiations concerning the use of SSTs in the faculty evaluation process, we took a critical look at what had occurred to assist us in approaches for future negotiations. In this section, we present what we found to be the strengths and weaknesses

⁶ See Appendix B for the current DCC student survey of teaching form. The full-time and part-time contracts are publicly available at <http://www.dutchessunitededucators.org/dues-files>.

of the approach and the outcomes. In the following section and final section, we articulate the lessons learned.

The primary positive outcome or strength is that our contract maintained a faculty evaluation system based primarily on peer-review by department chairs, in which peer observation of faculty in the classroom is central, and student survey use is informed by recent scholarship. We were able to maintain paper-based, in-class survey delivery, which increases the likelihood that respondents include all or most students present in the class. While the Office of Academic Affairs has access to a part of the student survey responses, the quantitative responses are only from carefully framed, evidence-based questions. This set of questions mainly provides data about expectations for procedures being followed. Additionally, these questions are designed to contextualize bias in results. The responses from the qualitative question section remain at the department level and are used in the peer-review relationship.

In addition, the contract specifies how quantitative and qualitative data can be used for faculty evaluation. The contract clearly states that surveys still cannot be used for “summative” evaluation. Specifically, the administration cannot use surveys for promotion and tenure of full-time faculty, though faculty can introduce qualitative results if they wish, and supervisors cannot use surveys to discipline part-time faculty.

Another strength is the creation of a contractually mandated all-faculty standing union committee, consisting of “faculty members from a range of academic disciplines, including at least two part-time faculty members, and including at least two faculty who specifically represent DUE,” that monitors and makes recommendations regarding changes to either the survey form or the process (2016-2020 Full-time Contract, p. 53). Since its first meeting in 2017, this committee has made some adjustments to questions but so far faculty have not asked to substantially change or add questions or procedures, which may indicate that the changes have not had negative effects.

The research effort and energy applied to negotiations were understandably major and that effort was seen and appreciated by union members. However, without continued education of faculty, chilling effects during non-negotiating years may occur without faculty even realizing it. Because surveys are normalized in higher education, and, more broadly, market-based norms of a consumer society are so pervasive, we may not be fully aware of how the surveys shape our teaching. For example, in disciplines in which faculty teach controversial topics, students exposed to new ideas at times experience discomfort or defensiveness, which may translate into assumptions about teaching effectiveness, particularly toward those professors who are not male and/or not white, thereby jeopardizing academic freedom and educational quality.

Continual education of faculty is critical to supporting a healthy faculty evaluation process, as was evident in negotiations when fellow faculty on the negotiating team did not appear to grasp how damaging the student survey results could be on academic freedom for faculty and the academic rigor they apply in their classroom. Department chairs, despite their role as faculty and

peer-evaluators, are not immune to being influenced by problematic student survey data. For example, some DCC department chairs recently agreed to new usage of poorly designed student surveys in faculty job searches for some candidates for tenure-track positions. Campus decision-makers, including faculty in supervisory positions, are often not from groups that regularly face the discrimination reflected in student surveys and thus may tend to view the feedback as a fault of the faculty member rather than a result of a myriad of factors affecting student opinion that are beyond the faculty member's control. As decision makers, this viewpoint is more problematic and can have a dramatic negative impact on marginalized faculty. On our campus, there have been conversations among union members and with administration about inadequate training for supervisors, although the two sides see the focus for such training differently. The union is considering union-sponsored workshops for supervisors that could include a review of the literature concerning student surveys, academic principles of peer evaluation, and academic freedom.

Even though the all-faculty standing union committee prepared and distributed a one-page document explaining survey bias and the importance of carefully constructing questions to reveal that bias, in these early days of implementation, the impact and degree of understanding is not yet clear. In addition, even though we have educated the administration about the problems with survey data, and they acknowledge that the data are questionable, they still insist on the importance of their access to the data without any rationale for why or how they would use the data.

Lessons Learned

It is still too early to fully understand the impact of these changes in the use of student surveys in our faculty evaluation system at DCC, however our experience researching and negotiating this matter suggests to us a number of preliminary lessons.

Foremost, it is possible, though difficult, to challenge the dominant corporate narrative that shapes so much of higher education, including faculty evaluation. That challenge would be more difficult if it weren't for the excellent, important scholarship that colleagues are pursuing which made it possible for us to challenge the imposition of these practices at DCC. This scholarship is laying a foundation for challenging these practices where they are already in place.

Our negotiating process at DCC demonstrated the importance of an established union tenet; robust communication and continuous education among union members. Educating faculty on the research concerning student surveys is at least as important as educating administrators so that all involved are making evidence-based decisions that impact the educational workforce. The American Sociological Association's 2019 "Statement on Student Evaluations of Teaching"

discussed above indicates a growing awareness within our profession that it is critical to address the problems with using student surveys for faculty evaluation.

As we work to address the problems with student surveys we also need to address the underlying reasons that student feedback has so often been used destructively: the increasing corporatization of higher education.⁷ As we work to maintain or create evaluation systems on our campuses where student surveys can function only constructively, we also need to work to end the corporate-style management practices that weaponized them in the first place. Even if we succeed in restoring student surveys to their constructive purposes, if we only focus on the vehicle of student surveys, it is likely that new tactics of de-professionalization will ascend to fill the void. Faculty evaluation is apparently the “new frontier” among “education investors.” For example, David Yaskin, the founder and former chief executive of Starfish Retention Solutions, has founded a new company called “Faculty Guild,” which sells college teacher training programs and associated data collection and analysis tools (Blumenstyk, 2018)⁸. We believe union efforts to educate and mobilize faculty will be most effective when both the symptoms and the causes of corporatization are understood.

The education process needs to be continuous, however educating the faculty is especially important during contract negotiations. Our experience shows how silence agreements make it difficult to mobilize faculty to support or oppose contract proposals. We also found that if management and/or labor are not fully committed to the interest-based principle that uses reliable evidence for decision-making, the “interest” can be used to silence dissent. Once we had the opportunity to break the silence, we were able to more effectively bargain to protect working conditions that maintain the academic freedom critical to the integrity of the institution.

⁷ Much has been written about the corporatization of higher education, including Christopher Newfield, *The Great Mistake: How We Wrecked Public Universities and How We Can Fix Them*, Johns Hopkins University Press, 2016, as well as the just-published AAUP Statement “In Defense of Knowledge and Higher Education,” January 2020. The AAUP writes that public funding cuts “have facilitated the rise of corporate management styles by administrators and trustees, with the consequent diminution of faculty participation in university governance. They have stimulated a consumerist conception of education, in which colleges and universities submit to the preferences of student demand and interest. They have spawned an ‘assessment movement’ to measure the impact of research and teaching in entirely ‘objective,’ quantitative terms.” <https://www.aaup.org/report/defense-knowledge-and-higher-education>

We have also recently published articles in our union newsletter on the impact of corporatization on community colleges in general and our campus in particular. See: Leah Akins, “Academic Freedom: What Is It and Why We Should Care,” *DUE Points*, Spring 2019, and Laura Murphy, “DCC and the Accountability-Industrial-Philanthropy Complex,” *DUE Points*, Fall 2019 Available at: <http://www.dutchessunitededucators.org/duе-points-newsletter>.

⁸ We caught a glimpse of Faculty Guild’s aggressive marketing when we participated in the panel on faculty evaluation at the 2019 NASCBHEP conference. Shortly after the conference agenda was publicized, Yaskin’s assistant contacted us repeatedly to set up a meeting with him. We declined. On the impact of education investing on education reform, in this case and more broadly, see L. Murphy, “DCC and the Accountability-Industrial-Philanthropy Complex,” *DUE Points*, Fall 2019, Available at: <http://www.dutchessunitededucators.org/duе-points-newsletter>.

This negotiating experience also further developed our understanding of contract negotiations and various bargaining approaches. We found that although interest-based bargaining theoretically is a “win-win” approach, its application must be accompanied with a significant investment in training and deep trust that everyone will abide by agreed upon procedural ground rules. Without that investment, the primary power unions have to bring to bear, the power of collective action, is potentially hamstrung, particularly in states such as ours, where faculty do not have the legal right to strike. Essentially, for IBB to be a successful approach, the training and trust are necessary to remediate the power differential between management and union.

Finally, it is critical to recognize that we are one faculty, and faculty working conditions are student learning conditions.⁹ Negotiating for full-time and adjunct/part-time faculty together on this matter helped us to foreground the particularly vulnerable position that adjunct/part-time faculty are in, which allowed us to create policies that protected all faculty. The outcome we achieved concerning faculty evaluation illustrates how addressing the exploitation of adjunct/part-time faculty strengthens the profession as a whole. In addition, if student surveys are used to undermine faculty’s academic freedom and render their labor more precarious, students’ quality of education suffers as well.

⁹ The New Faculty Majority’s slogan “Faculty Working Conditions are Student Learning Conditions” and the AAUP’s “One Faculty” campaign inspire our phrasing here.

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Appendix A

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Appendix B
Current Form of Student Survey of Teaching

Class Climate	Student Survey of Teaching	

Mark as shown: Please use a ball-point pen or a thin felt tip. This form will be processed automatically.
 Correction: Please follow the examples shown on the left hand side to help optimize the reading results.

1. Instructions

This form provides an opportunity to give feedback about this class. Your instructor will tell you how to fill out the form and should then leave the room. After final grades are turned in, these forms will be reviewed by the instructor with his/her supervisor. Your participation is important to and valued by the College.

2. Reason

2.1 Reason for taking this course: Elective Requirement

3. Part A of the Student Survey of Teaching Form

- 3.1 The instructor provided a syllabus, either hard copy or electronically, that included a course outline. (Check Not Applicable if LAB section only.) Yes No Not Applicable
- 3.2 The instructor provided his/her DCC email address and how best to contact them outside of class. Yes No

Use the scale below to express your opinion on each of the statements listed. Enter your response below.

	<i>Strongly Agree</i>	<i>Somewhat Agree</i>	<i>Neutral</i>	<i>Somewhat Disagree</i>	<i>Strongly Disagree</i>	<i>Not Applicable</i>
3.3 The instructor clearly communicated how the course grade was to be determined.	<input type="checkbox"/>					
3.4 The instructor usually begins class on-time as scheduled.	<input type="checkbox"/>					
3.5 The instructor usually uses the instructional time available.	<input type="checkbox"/>					
3.6 The instructor expects students to use the required course materials (such as textbooks, online resources, films, software).	<input type="checkbox"/>					
3.7 The instructor is responsive to students' questions and concerns.	<input type="checkbox"/>					
3.8 The instructor gives clear explanations.	<input type="checkbox"/>					
3.9 I had a strong desire to take this course.	<input type="checkbox"/>					
3.10 I was able to access the resources required for the course.	<input type="checkbox"/>					
3.11 I was able to commit the time and effort necessary to be successful in the course.	<input type="checkbox"/>					
3.12 I feel my prior knowledge in the subject matter was a significant factor in my ability to be successful in the course.	<input type="checkbox"/>					

4. Part B of the Student Survey of Teaching Form

Enter your comments for each of the prompts provided below.

4.1 Please comment on your impression of the instructor's teaching effectiveness.

4.2 Please comment on the organization and structure of the course.

4.3 Please comment on your interactions with the instructor.

4.4 Please comment on the text book and materials used in the class.

4.5 Please add any other comments you would like to make, including your overall summary of the course and suggestions for improvement. Give examples where you can.