Minutes of the MLA Delegate Assembly

THE DELEGATE ASSEMBLY MET ON 29 DECEMBER 2009 AT THE PHILADELPHIA MARRIOTT Hotel. First Vice President Sidonie Smith presided. The assembly was called to order at 1:16 p.m. The chair recognized Delegate Ana-María Medina, who made a statement recognizing the life and work of Chris Bell, a fellow delegate who had died just before the convention. The chair asked all in attendance to stand for a moment of remembrance. The chair then made preliminary announcements about the conduct of the meeting, called for a demonstration of the electronic voting system to be used during the meeting and an explanation of the warning-light system that had been installed at the podium to let speakers know how much of their allotted time remained, and noted that she would be exercising her right to vote during the meeting. She announced the quorum for the meeting, which was 80 delegates, because 159 delegates had signed in for the meeting at the beginning. [Note: Of the 272 delegates, 189 (69%) attended all or part of the meeting (see the list that follows for the names of the delegates in attendance).]

1. On behalf of the Delegate Assembly Organizing Committee (DAOC), Bonnie Kime Scott moved the adoption of the agenda that had been sent to the assembly, subject to emergency change. The motion occasioned no discussion and no objections. The chair therefore declared the agenda adopted by unanimous consent.

Scott then offered a motion on behalf of the DAOC that the rules presented to the assembly be adopted. David Chioni Moore proposed a motion to amend the first rule in the appendix to the Delegate Assembly bylaws ("Anyone wishing to be recognized by the chair must go to a microphone on the floor of the auditorium and must state name and institution before addressing the assembly") by adding the phrase "and, if they wish, the constituency they represent" after "institution." This motion to amend was seconded, and the chair opened the floor for discussion of the amendment. In response to a question, Moore clarified his intent: that nondelegates state their name and institution but that delegates, at their discretion, identify themselves more fully by naming the MLA constituency they represent. Since there was no further discussion, the chair stated the question on the amendment and asked the assembly to vote. The assembly approved the amendment by a vote of 102 yes and 52 no. The chair asked if there was further discussion of the rules. Since there was none, the chair asked if there were any objections to adopting the rules as amended. Hearing no objection, the chair declared the amended rules adopted by unanimous consent.

Again on behalf of the DAOC, Scott moved that the assembly approve the minutes of the 2008 meeting as printed in the May 2009 issue of *PMLA*. The chair asked if there were any corrections. Since no corrections were offered, the chair declared the minutes approved as published.

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2. The assembly elected two of its members, Sima N. Godfrey (French, Univ. of British Columbia) and Adelaide M. Russo (French, Louisiana State Univ., Baton Rouge), to the DAOC for three-year terms (from 1 January 2010 through the close of the January 2013 convention). In the election of a delegate to serve on the Executive Council, Jonathan Arac (English, Univ. of Pittsburgh) was elected for a four-year term (from 1 January 2010 through the close of the January 2014 convention). Voting from a slate of nominees selected by the 2009 officers of the association, the assembly elected Sabine Hake (German, Univ. of Texas, Austin), Erec R. Koch (French, Univ. of Tennessee, Knoxville), and Linda Ray Pratt (English, Univ. of Nebraska, Lincoln) to the Nominating Committee for two-year terms (2010–11). Voting from a slate of nominees selected by the DAOC, the assembly elected the following persons to the Elections Committee for two-year terms (2010–11): Hope Glidden (Tulane Univ.), Margaret R. Higonnet (Univ. of Connecticut, Storrs), Felicity Nussbaum (Univ. of California, Los Angeles), and Teresa A. Toulouse (Univ. of Colorado, Boulder).

3. The chair called on Bonnie Kime Scott, chair of the DAOC, to present the DAOC's annual report. Scott introduced the members of the committee to the assembly and presented a summary of the committee's report. In addition to covering the committee's regular annual business, the report presented the committee's response to the charge from the 2008 assembly "to bring forward a proposal to strengthen the resolution process, including consideration of ways to produce more effective resolutions and ways to shorten the time between the submission of a resolution and its ratification" (see May 2009 *PMLA* 982). Scott prefaced her summary of the DAOC's work on this charge by noting that proposing a resolution is not the only way and may not be the best way for members to accomplish a goal. The committee wished to make other options for addressing issues—a motion calling for the establishment of a committee or asking the Executive Council to take an action—more visible and accessible. With respect to streamlining the resolution process, the DAOC concluded that expanding the use of the MLA Web site for notifications about and the conduct of the final two steps in the process—soliciting members' comments on the resolutions that the Delegate Assembly has approved and holding the ratification vote—would shorten the process by six months for resolutions that the Executive Council is able to forward to the membership after completing its review of them at the February council meeting. When considering the first part of the charge from the 2008 assembly, committee members agreed that the debate of resolutions on the assembly floor could focus more on substantive matters if the resolutions under consideration were better formulated earlier in the process. The DAOC therefore presented suggestions for changes in the initial portion of the resolution process that were designed to increase the involvement of assembly members in the formulation of resolutions before the 1 October deadline for submitting the resolutions to the DAOC. Using the assembly's electronic discussion list, delegates could discuss a proposed resolution and suggest amendments that the resolution's proposer might decide to incorporate into the final version of the resolution submitted to the DAOC. The committee noted that this advance discussion might allow the assembly to reduce the amount of time devoted to floor debate, time that could then be devoted to other discussions. Another suggestion was to gauge assembly members' interest in bringing a proposed resolution to the floor for discussion; resolutions supported by twenty percent of the members of the assembly could be submitted to the DAOC. The DAOC's final suggestion aimed at providing assistance to members who wish to propose resolutions. Posting information on past ratified resolutions and a checklist covering all submission requirements would help members avoid the parliamentary and constitutional problems that had recently prevented the assembly from considering several resolutions. The DAOC also reported to the assembly that it had discussed two additional questions that did not lead to suggestions for change. The first question was whether regular resolutions should be subject to a requirement that now applies only to emergency resolutions: an emergency resolution cannot be considered by the assembly unless three-fourths of the delegates present vote to take it up. The second question was whether a quorum for the membership ratification vote should be established. Scott concluded her presentation by noting that some of the DAOC's suggestions for improvements could not be implemented without constitutional amendments. Before embarking on that process, the DAOC wished to solicit delegates' comments.

The chair asked if there were any questions or comments on the DAOC's regular annual business. Scott responded to a question about a resolution that had been submitted by 1 October but that had not been forwarded to the assembly because the DAOC found that it was not in keeping with constitutional requirements. The chair then called for discussion of the committee's suggestions for improving the resolution process. She said that fifteen minutes would be set aside for this discussion, that speakers would have one minute to state their views, and that no one could speak a second time until all others who were waiting at microphones had spoken. [Note: At the end of fifteen minutes, since a number of speakers were waiting at microphones, the chair extended the time for discussion by five minutes.]

The committee's view on streamlining the resolution process was well received, but it was suggested that the supporting materials that the assembly receives with each resolution be provided to the membership at the time of the ratification vote. Several speakers commented on the DAOC's suggestion calling for a show of support for a proposed resolution from twenty percent of the Delegate Assembly. They asked how this threshold was arrived at, how it could be determined that it was met,

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whether this requirement was meant to substitute for the current requirement that regular resolutions be submitted with ten supporting signatures, and whether the DAOC intended "support" to be interpreted as meaning approval of the resolution. Scott said that the DAOC considered the twenty percent threshold a reasonable indicator of interest among delegates in pursuing discussion of a resolution on the floor of the assembly. She said that the percentage could be changed but that it was her sense, based on the discussion of one of the resolutions on the assembly's current agenda that had taken place on the assembly's discussion list in early December, that this threshold would not be difficult to meet. The chair clarified two other points: that "support" should not be equated with approval and that the twenty percent threshold was not intended to substitute for the signature requirement. Other speakers questioned the use of the assembly's electronic discussion list for this purpose, since e-mail messages could be misinterpreted and the number of messages might be overwhelming. It was suggested that the MLA Web site could be used instead and that dates for a discussion period could be set. Some speakers also expressed concern that it would be more difficult to bring resolutions to the assembly floor if the DAOC's suggestions were implemented. They urged the DAOC to maintain the democratic features of the resolution process and to interpret the constitution broadly when deciding whether resolutions submitted to the committee could be forwarded to the assembly for action. At the conclusion of the discussion, the chair thanked all speakers for their comments, which would be helpful to the DAOC as it worked further on a proposal to strengthen the resolution process.

4. The assembly received the report of the executive director and the Finance Committee report. The chair recognized Executive Director Rosemary Feal to present the first report. Feal called attention to one of the items discussed in her report: the Academic Workforce Advocacy Kit, which had been published earlier in the year on the MLA Web site at the direction of the Executive Council. The advocacy kit brings together the reports, guidelines, recommendations, and other materials that the association has developed in recent years to provide members with detailed information about academic staffing and employment issues. It also includes links to relevant information from other organizations. The issue brief that prefaces the kit distills essential points. Feal encouraged all present to explore the kit and to use the materials it contains to work for change on their campuses. Since there were no questions on this report, the chair asked Feal to present the Finance Committee report. Feal said the report showed that the financial base of the association was strong and that the association, like other organizations and educational institutions, faced a difficult year. In preparing the budget for the 2009–10 fiscal year, the Finance Committee had examined the various revenue categories in the budget and noted that membership dues, which are set by the Delegate Assembly, had essentially not been changed since 1993 and were contributing significantly less than in the past to the association's budget. Feal then presented to the assembly the proposed revision to the dues structure that the Executive Council and the DAOC had endorsed (see next item). The chair asked if there were any questions about the Finance Committee report. Since there were none and since the dues proposal had been introduced, the chair changed the order of the agenda so that the assembly could consider and act on the dues proposal before receiving other association reports. After the assembly acted on the dues proposal, the chair asked the assembly to return to the annual reports it had received from the following association committees: *PMLA* Editorial Board, Publications Committee, Committee on Scholarly Editions, Committee on the New Variorum Edition of Shakespeare, Advisory Committee on the *MLA International Bibliography*, Committee on Honors and Awards, Committee on Academic Freedom and Professional Rights and Responsibilities, Committee on the Literatures of People of Color in the United States and Canada, Committee on the Status of Women in the Profession, Committee on Information Technology, Radio Committee, Committee on Disability Issues in the Profession, Committee on Community Colleges, Committee on the Status of Graduate Students in the Profession, and Committee on Contingent Labor in the Profession. The chair recognized Teresa Mangum of the DAOC, who presented highlights of the committees' work. Mangum concluded her presentation by thanking all committee members for their valuable work.

5. The assembly received a recommendation from the Executive Council and the DAOC that consisted in a proposal to restructure the association's dues categories. The chair recognized Dorian Bell to present the proposal. He made a motion to amend the association's dues structure by striking out the current dues structure and inserting the new dues classes and amounts shown in the dues proposal from the council and the DAOC, with the proviso that the new dues structure would go into effect for the 2011 membership year. The dues proposal, summarized in the chart below, featured increased dues in each category; a recalibration of increases from category to category, whereby dues increases grow slightly larger as one progresses up the income scale; replacement of the highest dues category (Over $140,000) with four higher-income dues categories ($140,000 to $160,000, $160,000 to $180,000, $180,000 to $200,000, and Over $200,000); and elimination of the use of the New Regular Member dues category, except for promotional purposes (e.g., for encouraging new memberships at the MLA convention).

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Current Dues Schedule		Proposed Dues Schedule	
Dues Class	Amount	Dues Class	Amount
1 Under $15,000	$ 25	1 Under $15,000	$ 40
2 $15,000–$20,000	$ 40	2 $15,000–$20,000	$ 50
3 $20,000–$30,000	$ 50	3 $20,000–$30,000	$ 60
4 $30,000–$40,000	$ 65	4 $30,000–$40,000	$ 70
5 $40,000–$50,000	$ 75	5 $40,000–$50,000	$ 85
6 $50,000–$60,000	$ 85	6 $50,000–$60,000	$100
7 $60,000–$70,000	$ 95	7 $60,000–$70,000	$115
8 $70,000–$80,000	$105	8 $70,000–$80,000	$130
9 $80,000–$100,000	$125	9 $80,000–$100,000	$145
R $100,000–$120,000	$145	R $100,000–$120,000	$165
T $120,000–$140,000	$165	T $120,000–$140,000	$185
V Over $140,000	$175	V $140,000–$160,000	$205
		W $160,000–$180,000	$230
		X $180,000–$200,000	$255
		Z Over $200,000	$280
E Student	$ 20	E Student	$ 35
F New Regular	$ 35	—	—
L Joint Secondary	$ 20	L Joint Secondary	$ 40

Rosemary Feal explained that this proposal was prompted by two factors: the decline in the share of association income represented by membership dues, from 15.5% in 1992–93 to 10.0% in 2007–08, and the increase in the cost of providing basic membership benefits, from $30.12 per member in 1992–93 to $66.35 in 2008–09. It would be fiscally prudent to increase the share of association revenue generated by membership dues. The increased revenue would allow the association to maintain the current level of membership benefits. Feal said that the only change to the dues structure since 1993 was the addition in 2002 of three new higher-income dues categories for members whose income placed them in the highest dues category (income over $80,000). She added that seeking small dues increases more regularly since 1993 would have produced a dues schedule similar to the one the assembly was being asked to consider. The assembly also received information about the dues structures of several other large professional associations, all of which were costlier to members at virtually all levels. Feal noted that, if approved by the assembly, the changes would go into effect for the 2011 membership year. In addition, the council and the DAOC planned to ask the assembly to review the association's dues structure every year along with information about the share of association income represented by membership dues.

The chair explained two interrelated parliamentary matters. First, the motion to amend the dues structure was a motion to amend something previously adopted. Approval of such a motion requires a majority vote if notice has been given. If notice has not been given, approval requires a two-thirds vote. Second, scope-of-notice requirements applied to the dues proposal, which meant that amendments offered from the floor would have to be identified as either in scope or out of scope. An amendment would be out of scope if it proposed a dues amount that was either lower than the current amount or higher than the proposed amount for a dues class. Such an amendment required a two-thirds vote for approval. In-scope amendments required a majority vote for approval.

The chair opened the floor for discussion of the dues proposal. The initial discussion focused on the large percentage increase in dues for graduate students and members in the lower income categories. Lucas Harriman made a motion to amend the dues proposal by maintaining the current dues amount for graduate student members. This motion was seconded, and the chair opened the floor for discussion of the amendment. After brief discussion, the chair called for a vote on the amendment. The assembly approved the amendment by a vote of 112 yes and 24 no. Gwen Bergner made a motion to amend the dues proposal by maintaining the current dues amounts for the first three dues categories. This motion was seconded, and the chair opened the floor for discussion of the amendment. After brief discussion, the chair called for a vote on the amendment. The assembly approved the amendment by a vote of 118 yes and 27 no.

The chair called for further discussion of the amended dues proposal. Speakers commented on the proposed dues amounts for the higher income categories: some called for a more progressive structure, and others cautioned against raising the dues in these categories too much. Barbara Foley made a motion to table the proposal. After consulting the parliamentarian, the chair said that the motion to table was not appropriate but that a

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motion to refer the proposal back to committee was. Foley therefore made a motion to refer the dues proposal back to committee. This motion was seconded, and the chair opened the floor for debate of the motion to refer. Those who supported the motion wanted to see a more progressive structure and wanted to have more information on the considerations on which the new dues amounts were based. Those who opposed the motion said that the amendments already adopted had protected the most vulnerable members and had made the structure more progressive, that it would be possible for the assembly to make additional adjustments from the floor, and that it was necessary to increase membership dues to support the work of the association and reduce future deficits. Feal noted that a really progressive structure would be damaging, since it would alienate members in the higher dues categories. When Jeannine Blackwell rose to offer a motion to close debate on the motion to refer, the chair told her and the assembly that the time for discussion had expired and that the assembly would proceed directly to a vote on the motion to refer the dues proposal back to committee. The motion failed by a vote of 19 yes and 126 no.

The chair called for further discussion of the twice-amended dues proposal. Fred Gardaphe made a motion to close debate. This motion was seconded, and the chair called for a vote on the motion, which was not debatable and required a two-thirds vote for passage. The assembly closed debate on the dues proposal from the Executive Council and the DAOC by a vote of 140 yes (95%) and 8 no (5%). The twice-amended motion to amend the association's dues structure therefore came to an immediate vote. It was approved by a vote of 130 yes and 16 no.

6. The chair asked the assembly to turn to the next item on its agenda, the open discussion of the academy and the economy, a topic that the DAOC had selected and divided into two subtopics: contingent labor and the endangered status of languages other than English in higher education. Delegates had received background information on these subtopics in advance of the assembly meeting.

Before the open discussion could begin, Cary Nelson proposed a motion to change the order of the assembly's agenda so that the consideration of resolutions would precede the open discussion. He stated his concern about maintaining a quorum for the consideration of the resolutions. The chair determined that Nelson's motion was in order and that it required a two-thirds vote for approval. Nelson restated his motion, which was seconded. The chair then called for a five-minute break, after which she opened the floor for discussion of the motion to change the order of the assembly's agenda. Discussion focused on considerations of the relative importance of the open discussion and the resolutions to delegates and to the association. In response to a question, the chair said that the open discussion could be held in the absence of a quorum. Jarrod Hayes made a motion to close debate. This motion was seconded, and the chair called for a vote on the motion, which was not debatable and required a two-thirds vote for passage. By a vote of 121 yes (98%) and 3 no (2%), the assembly closed debate on the motion to change the order of the assembly's agenda. That motion therefore came to an immediate vote, which was 73 in favor (59%) and 51 opposed (41%). Because the motion was not supported by a two-thirds majority, it failed.

The chair therefore asked the assembly to return to the agenda as originally adopted and asked Second Vice President Russell Berman to preside over the open discussion. Berman reminded all present that one hour had been set aside for the open discussion, thirty minutes for each subtopic. He also reminded those in attendance of the rules that would govern the open discussion.

Paula Rabinowitz provided an introduction to the first subtopic, contingent labor. She began by reviewing the work of the new Committee on Contingent Labor in the Profession (CLIP) and its plans for addressing issues that affect adjunct faculty members. She said that the assembly's 2008 discussion (see May 2009 *PMLA* 982–84) and the 2009 convention session that grew out of that discussion were just the latest attempts to address a long-term crisis that dated back to the late seventies. Rabinowitz noted that the crisis had been exacerbated in recent years because of the financial contingencies used by administrators to alter all faculty members' working conditions. Since all faculty members are affected by the use of contingent labor, she said that all faculty members needed to address the issues in their institutions. She again called attention to the Academic Workforce Advocacy Kit at the MLA Web site (see item 4, above) and the resources it provides for developing strategies to address the crisis. Elizabeth Landers, delegate and cochair of CLIP, asked for input on the committee's report and suggestions for additional activities that the committee might undertake.

Speakers talked about different aspects of the crisis that needed to be addressed. The current economic climate makes it all the more important to bridge the gap between tenure-track faculty members and non-tenure-track faculty members and to undertake concerted action. That climate also renders some of the MLA's guidelines irrelevant: for instance, guidelines on minimum per-course compensation for adjuncts are unnecessary if no adjuncts can be hired. There is a need for lobbying on a national scale to bail out educational institutions. A more capacious definition of the profession that includes teaching and research will help to rescue a generation of scholars and will bolster the health of graduate programs, which are suffering from reductions in the number of research faculty members. It was noted that one of the effects of the elimination of lecturer positions was to increase the teaching load of graduate students. It was also noted that new programs that encourage high school students to earn college credits by taking college courses, primarily at community colleges, contribute to staffing problems. One speaker signaled a need for an MLA recommendation on the minimum face

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time required for a course, since online courses, which are a new venue for the exploitation of contingent labor, are increasing in number. Two speakers suggested strategies to pursue. First, fostering partnerships between two-year schools and four-year schools might help to strengthen the position of faculty members at both types of institutions. Second, since the current size of the labor pool weakens everyone's status, it is necessary to reduce the size of the labor pool by reducing the size of graduate programs.

Cynthia Skenazi provided an introduction to the second subtopic, the endangered status of languages other than English in higher education. She encouraged everyone to explore the background information that the DAOC provided on the kinds of situations that departments face and to talk about strategies for addressing these situations. She outlined some of the issues to consider: educational concerns versus budget considerations, strengthening language requirements, interactions of language departments with other departments and programs, and the role of online instruction in introductory foreign language courses.

Several speakers told the assembly about strategies that had worked on their campuses. In one instance, integrating the language requirement with distribution requirements reinforced enrollments in upper-level courses. On another campus, the establishment of interdisciplinary connections with business, engineering, history, and environmental studies strengthened the language department through an increase in the number of dual majors. Gateway courses that connect language, culture, and the humanities can bring students to the language program. It was suggested that the widespread interest in globalization could be exploited by language departments, which have the expertise necessary to help students develop global competence. Other speakers cautioned that budget considerations can lead departments to make choices that weaken the roots of programs or that instrumentalize them. Reduced support for research was identified as a choice to avoid. Speakers also commented on strategies that might be pursued. English departments could be encouraged to revamp their courses to include relevant language-related issues. The language requirement for English master's students might be reinstituted on campuses where it was eliminated. Research into language-acquisition outcomes will help language departments show administrators the value of language programs to students. In a larger context, it was suggested that the MLA could work toward strengthening language programs in the schools so that college programs could benefit from more and better-prepared students.

The open discussion came to a close after approximately forty-five minutes, at which point First Vice President Sidonie Smith returned to the chair.

7. In the category of new business, two regular resolutions had been received by the 1 October submission deadline for resolutions. The chair explained the two-stage process of consideration for a resolution with a preamble. She would call first for debate and amendment of the *resolved* clause or clauses and then for debate and amendment of the preamble before putting the full text of the resolution to a vote. The first resolution (labeled Resolution 2009-1) was submitted by Grover Furr on behalf of the Radical Caucus in English and Modern Languages. It read as follows:

> Whereas job security is under attack throughout higher education; and
>
> A job with a living wage is an economic right of all employees; and
>
> No rights can be secure without government and professional organizations taking action to establish and defend them;
>
> Resolved, that all employees, teaching and nonteaching, in higher education deserve firm job security, or tenure in their positions;
>
> and that the MLA urges colleges and universities to affirm the existing tenure system and to extend more robust job security to non-tenure-track faculty without reducing tenure-track lines, and to all other employees in higher education.

Gaurav Desai of the DAOC presented the resolution to the assembly along with the DAOC's recommendation that the assembly not approve the original resolution but consider and approve instead a substitute resolution that had been distributed to delegates when they signed in for the meeting and that Cary Nelson planned to propose. The substitute resolution read as follows:

> Whereas job security is under attack throughout higher education; and
>
> Whereas a job with a living wage is an economic right of all employees;
>
> Resolved that the MLA recognize the importance of job security throughout the academic workforce. All college and university faculty members—full- and part-time—should be eligible for tenure. All higher education employees should have appropriate forms of job security, due process, a living wage, and access to health care.

The chair recognized Grover Furr, the proposer of record of the original resolution. Furr explained that he had conferred with Nelson on the substitute resolution and that he supported the substitute. After urging the assembly to support the substitute, Furr yielded the floor to Nelson. The chair asked if there were any objections to treating the substitute resolution as the original. There were none. Given the special parliamentary situation, the chair recognized Nelson to present his substitute. Nelson explained that the substitute resolution focused narrowly on the concept of job security and aimed to recognize the wide diversity of employment situations in higher education. He said that tenure was a fundamental form of job security, that due process was an essential component of job security, and that "living wage" referred to federal government figures on the cost of living in different parts of the country.

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The chair opened the floor for discussion of the *resolved* clause of the substitute resolution. Paula Rabinowitz asked if the final phrase, "access to health care," should read "access to health care benefits" instead. Nelson assented to this change, and the chair asked if there were any objections to adding "benefits" to the phrase. There were no objections, so the word was added by unanimous consent. Ian Barnard wished to strengthen the resolution and so proposed to amend the *resolved* clause by adding the phrase "full-time jobs and" before the word "tenure" at the end of the second sentence. This motion to amend was seconded, and the chair called for discussion of the amendment. Those who opposed the amendment thought that the reference to full-time jobs opened questions about the definition of a full-time job and the conversion of part-time jobs to full-time and that such questions could not be addressed by means of a resolution. It was also noted that the language of the amendment created a logical conflict with the language of the aside in the *resolved* clause. One speaker supported the amendment because it countered the idea that tenure in a part-time job was acceptable. Since there was no further discussion, the chair asked the assembly to vote on the amendment. The assembly rejected it by a vote of 19 yes and 81 no.

Alison Cummings, whose institution does not have tenure, made a motion to amend the *resolved* clause by adding the phrase "or comparable job security" after the word "tenure" at the end of the second sentence. This motion to amend was seconded, and the chair called for discussion of the amendment. One speaker's opposition to the amendment was based on the idea that there is no form of job security for faculty members that is comparable with tenure. Since there was no further discussion, the chair asked the assembly to vote on the amendment. The assembly rejected it by a vote of 30 yes and 71 no.

The chair then called for discussion of the substitute resolution's preamble. The assembly's brief discussion of the preamble focused on the meaning of the second *whereas* clause. At the conclusion of the discussion, the chair stated the question on the adoption of the substitute version of Resolution 2009-1 and asked the assembly to vote. The assembly adopted the resolution by a vote of 81 yes and 15 no. The text of the resolution approved by the assembly read as follows:

> Whereas job security is under attack throughout higher education; and
>
> Whereas a job with a living wage is an economic right of all employees;
>
> Resolved that the MLA recognize the importance of job security throughout the academic workforce. All college and university faculty members—full- and part-time—should be eligible for tenure. All higher education employees should have appropriate forms of job security, due process, a living wage, and access to health care benefits.

The second resolution (designated Resolution 2009-2) was submitted by Richard Ohmann on behalf of the Radical Caucus in English and Modern Languages. It read as follows:

> Whereas, University of Colorado officials responded to outside pressure from conservative politicians and others, brought on by written comments Professor Ward Churchill had made after the 2001 attack on the World Trade Center;
>
> Whereas, these officials then established a committee to investigate Professor Churchill's scholarship;
>
> Whereas, the university then dismissed him from his tenured position;
>
> Resolved, the MLA condemns the University of Colorado for violating Professor Churchill's constitutionally guaranteed freedom of speech, and urges that he be reinstated.

Bonnie Kime Scott of the DAOC presented the resolution to the assembly along with the DAOC's recommendation that the assembly approve neither the resolution nor the substitute resolution that had been discussed the previous day during the Open Hearing on Resolutions. The DAOC proposed a different course of action: that the assembly ask the Executive Council to write to officials at the University of Colorado to call attention to Resolution 2007-3, which was already ratified by the membership. Copies of the substitute for Resolution 2009-2 and of Resolution 2007-3 had been distributed to delegates when they signed in for the meeting.

Noting her understanding that a substitute resolution would be proposed, the chair reviewed the procedure for the consideration of a substitute resolution. First, the original resolution would be opened to amendment, and then the substitute resolution would be opened to amendment. After both versions of the resolution had been perfected, the assembly would be asked to debate and then vote on whether to accept the substitute resolution in place of the original resolution. After the assembly had chosen the version of the resolution that it wished to consider, the assembly would debate and vote on that version. If the assembly chose the substitute, a delegate could further amend it only by adding nonmodifying matter. The chair then recognized Richard Ohmann, the proposer of record of the original resolution. Ohmann said that he had revised the text of the original resolution in response to comments made during the previous day's open hearing and asked if he could replace the original text of the resolution with the revised text. The revised resolution, copies of which he distributed to the assembly, read as follows:

> Whereas, University of Colorado officials, responding to pressure from conservative politicians, pundits, and others, brought on by written comments Professor Ward Churchill had made about the 2001 attack on the World Trade Center;
>
> Whereas, these officials then initiated an investigation of Professor Churchill's scholarship by a standing faculty committee;

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> Whereas, the university then dismissed him from his tenured position;
>
> Resolved, the Modern Language Association condemns the administration and regents of the University of Colorado for violating Professor Churchill's freedom of speech, and urges that he be reinstated.

The chair asked if there were any objections to considering Ohmann's revised text in place of the original. Russell Berman pointed out that the revised *resolved* clause named individuals who had not been given the opportunity to respond. Rosemary Feal explained that the president of the University of Colorado had been asked to respond to the original resolution and that the president's response had been distributed to delegates before the meeting. If the regents of the university did not come under the jurisdiction of the president, then the revised resolution introduced a new named party who, according to the MLA's procedures, had to be given the opportunity to respond. The chair ruled that the phrase "the administration and regents of" in the revised text did introduce a new named party. She ordered the deletion of the phrase. Therefore, the revised text to be considered in place of the original resolution read as follows:

> Whereas, University of Colorado officials, responding to pressure from conservative politicians, pundits, and others, brought on by written comments Professor Ward Churchill had made about the 2001 attack on the World Trade Center;
>
> Whereas, these officials then initiated an investigation of Professor Churchill's scholarship by a standing faculty committee;
>
> Whereas, the university then dismissed him from his tenured position;
>
> Resolved, the Modern Language Association condemns the University of Colorado for violating Professor Churchill's freedom of speech, and urges that he be reinstated.

The chair asked if there were any objections to considering the new version of the revised text in place of the original. There were none, so the chair opened the floor for discussion of the *resolved* clause and recognized Ohmann to present his resolution. Ohmann explained that the resolution took account of events that had occurred since the 2007 resolution was considered—that is, two formal judgments rendered in the case, one by a faculty committee and one by a Colorado jury. In addition, the new resolution's call for the reinstatement of Ward Churchill differentiated it from the 2007 resolution.

The chair opened the floor for debate and amendment of the *resolved* clause of the newly revised original resolution. A delegate asked if the laws of Colorado allowed the university president or regents to reinstate Ward Churchill. If not, then the resolution urged an illegal act and could not be considered. Another delegate responded to this question later in the discussion, noting that reinstatement was a legal option since it was one of the remedies considered by the jury in Churchill's 2009 civil trial. Speakers did not agree on whether the university president disregarded the findings and recommendations of the faculty in dismissing Churchill. Speakers also disagreed about the importance of findings of research misconduct in Churchill's case. Those who supported the resolution said that the violation of Churchill's protected speech was the most important aspect of his case and that approval of the resolution was justified even if the allegations of research misconduct were true. Those who opposed the resolution said that condemning the university meant condemning the faculty for following its procedures in Churchill's case and that this amounted to interference on the part of the MLA in legitimate faculty governance.

The chair announced that time for discussion of the *resolved* clause had expired and asked if there were any objections to extending debate for five minutes. There were objections. The chair asked if anyone wished to propose a motion to extend debate. No one came forward, so the chair asked the assembly to proceed to discussion of the preamble of the revised original resolution. Claiborne Rice, who wished to affirm the importance of faculty due process, proposed a motion to amend the preamble by inserting a new *whereas* clause after the second one: "Whereas the University of Colorado president did not honor the results of Colorado's due process when he nonetheless ordered dismissal; and." This motion to amend was seconded, and the chair opened the floor for discussion of the amendment.

Raising a point of order, Charles Rzepka challenged the existence of a quorum. The chair therefore ordered a count of the house. There were 61 delegates still in attendance, which meant that a quorum was lost. However, according to the assembly's rules, discussion could continue and votes could be taken if the majority of those present wished to continue. In response to a question, the chair noted that enough delegates remained for votes to be binding. The chair asked the assembly to vote on the question of continuing despite the lack of a quorum. By a vote of 29 yes and 31 no, the assembly voted not to continue.

8. The chair called for announcements. There were none.

9. The chair declared the 2009 meeting of the Delegate Assembly adjourned sine die at 6:18 p.m.

Delegates in attendance:

Divisional Delegates: Julia Abramson, John Bruni, James V. Catano, Mary L. Coffey, Eleni Eva Coundouriotis, G. Thomas Couser, Theresa Delgadillo, Anne-Lise François, Andrew Gaedtke, Susan K. Gillman, Achsah Guibbory, Kelly Hager, Sharon M. Harris, John C. Hawley, Nathalie Hester, Gregory S. Hutcheson, Kimberly M. Jew, Robert M. Johnston, Stacy S. Klein, Lutz Koepnick, Dale Larson, Bettina R. Lerner, Lokangaka Losambe, Joseph Luzzi, Laura Elizabeth Lyons, Ruth Mack, Peter M. McIsaac, David Chioni Moore, Rosmarie T. Morewedge, Cary Nelson, Frank Nuessel,

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María Rosa Olivera-Williams, Nancy J. Peterson, Aaron Prevots, Christine M. Probes, Scott Proudfit, Lynn Tarte Ramey, Brian J. Reilly, Claiborne Rice, Patricia Roberts-Miller, Charles J. Rzepka, Julia F. Saville, Bethany Schneider, Dana Seitler, Martin B. Shichtman, Patricia Anne Simpson, H. Jay Siskin, Jennifer Ellis Snead, Sarah Stanbury, Felicia Jean Steele, Cynthia L. Stone, Ronald Surtz, Mihoko Suzuki, Hector A. Torres, Chuck Tryon, Lisa Voigt, Adrian Wanner, Robyn R. Warhol, Robert Warrior, Mark A. Wollaeger, Eva Woods Peiró, Takayuki Yokota-Murakami.

Special-Interest Delegates: Jonathan Arac, Herman Beavers, Gwen Bergner, Robert J. Blake, Claudia Breger, Patricia R. Campbell, Frederick L. De Naples, John Domini, Stacey Lee Donohue, Audrey A. Fisch, Barbara Foley, Fred Gardaphe, Paul Giles, Nancy Gray, Lila Marz Harper, Katie Hogan, Monica F. Jacobe, Stacey Katz, Donna Kessler-Eng, Zachary Lamm, Brian Leung, Heather K. Love, Richard Middleton-Kaplan, Kyoko Omori, Ricardo L. Ortiz, Kamala Platt, Shelley Fenno Quinn, Israel Reyes, Richard T. Rodríguez, Ralph James Savarese, Lisa A. Seale, Stephen Sheehi, Martha Stoddard Holmes, Ashley Tarbet, Jennifer Wicke, Steven G. Yao, Helene Zimmer-Loew, Amelia A. Zurcher.

Regional Delegates: Jason Arthur, David M. Ball, Ian Barnard, Rebecca Skidmore Biggio, Anke Birkenmaier, Elizabeth Black, Jeannine Blackwell, Mark R. Blackwell, Gina Bloom, Kathleen Boardman, James J. Bono, Laura Brady, Bettina Brandt, Timothy Andres Brennan, Cynthia J. Brown, Marshall Brown, John Bryant, Jonathan Burgoyne, Marc Caplan, Nina Chordas, Barbara J. Cook, Alison M. Cummings, Joan C. Dagle, Maria Damon, Marilynn Desmond, Adriano Duque, Nancy C. Erickson, Maryse Fauvel, Gary Ferguson, Lisa Jeanne Fluet, Brian W. Gastle, Melissa Girard, Colleen Glenn, Amy C. Graves Monroe, Lucas H. Harriman, Jarrod Hayes, Alejandro Herrero-Olaizola, Kersten Horn, Holly Jackson, Hannah R. Johnson, Stephen Knadler, Michael Kreyling, Elizabeth Landers, Christopher C. LeCluyse, Joe Lenz, Carlos Martinez, Patrizia C. McBride, Ellen McClure, Ana-María Medina, Panivong Norindr, Hiram Perez, Seth Perlow, Pedro Ponce, Ashley Puig Herz, Elizabeth M. Richmond-Garza, Gayle Rogers, Adelaide M. Russo, Rebecka Rutledge Fisher, Matthew Senior, Carrie D. Shanafelt, Tristan Sipley, Thomas Spaccarelli, Joseph M. Sullivan, Irene Tucker, Mary Unger, Elvira Vilches, Katharine von Hammerstein, Jennifer M. Wilks.

Delegates Representing Regional MLAs: Elizabeth J. Abele, Joy B. Landeira, Craig Svonkin.

Officers and Members of the Executive Council: Charles Altieri, Sara Scott Armengot, Dorian F. Bell, Russell Berman, Jennifer Crewe, Jane Harper, Francis Abiola Irele, George Levine, Paula Rabinowitz, Sidonie Smith, Lynne Tatlock, Alexandra K. Wettlaufer, Kathleen Woodward.

Members of the Delegate Assembly Organizing Committee: Gaurav Desai, Brian Kennelly, Teresa Mangum, Bonnie Kime Scott, Cynthia Skenazi.

Parliamentarian: Jeanette N. Williams.

Clerk: Rosemary G. Feal.

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