

NEA Higher Education: 150 Years and Growing

by Christine Maitland

In 2007, the National Education Association celebrated its 150th year. Over this time, NEA has been a driving force in education at all levels. During the late 19th century and into the 20th, NEA's higher education leadership worked with Association K-12 leaders in shaping higher education, the nation's public elementary and secondary schools, and the education of their teachers. NEA has had notable success unionizing higher education faculty and staff, and has been a vigorous defender of academic freedom and faculty rights.

From the beginning of the nation, there was no federal department or system of education; education was a state responsibility; ¹ NEA was the organization that convened the leaders of education through its annual convention and "out of the diversity of approaches agreement was reached concerning the purposes of education and the best professional practices. By this process, rather than by proscription of a central government, was fashioned a national policy of education from state and local experiences."² Since its inception, NEA has advocated to increase the role, funding, and access to public education; protected educators so they could have the freedom to discuss, research, and teach; and argued for salaries, benefits, and pensions, so that educators could afford to be in the profession.

The story of NEA is about the building of a unique American school system and the articulation of three levels of education into a unified system. This story is also about how, in a single decade, NEA transformed itself into one of the largest and most powerful unions in the country. This brief overview of NEA's history will attempt to demonstrate that the founders of the organization would rec-

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ognize their goals and aspirations in the Association's present form.³

In 1857, as a troubled nation faced almost certain civil war, 10 state association presidents sought to form a national organization.⁵ The call invited, "all practical teachers . . . who are willing to unite in general effort to promote the general welfare of our county by concentrating the wisdom and power of numerous minds and by distributing among all the accumulated experience of all; who are ready to devote their energies and their means to advance the dignity, respectability and usefulness of their calling."⁴ "Some viewed the call with suspicion; some, as visionary; and some with indifference."⁷ Ultimately, 43 educators from eight states answered the call.⁵

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One-fourth of the founding members of what was to become NEA were from higher education institutions, including faculty members from Princeton University, the University of Vermont, Northwestern University, Washington University, Girard College, and Kenyon College. NEA's first president, Zalmon Richards, was a founder of the Union Academy in Washington, D.C., and a faculty member at Columbian College (now George Washington University). From 1858 to 1920, 24 of NEA's presidents came from higher education institutions.⁶ One of NEA's first political forays was in support of the creation of land grant colleges and universities under the Morrill Act of 1862, which paved the way for the creation of the state university and was a great boost to public higher education.⁷

In 1866, women were admitted into full membership in the Association. The constitution was changed to read that membership would be open to "person" instead of the former "gentlemen." There were no restrictions regarding race in the original document. Richards reports that the "inspiring influence of woman in our education meetings was welcomed and emphasized by the association."⁸

Until 1870, the entire assembly discussed all the topics at each annual meeting. But as the convention grew, it became necessary to divide into smaller groups. NEA created four departments, including the Department of Higher Education, with a full set of officers who provided their own program at each annual meeting.⁹ In a historical sketch reflecting on NEA's first three decades, Zalmon Richards, wrote, "But what a mighty change a few years have wrought! [T]here are not no less than 23 State Teachers' Associations each doing good work in its own sphere of labor, and to-day I trust we shall proceed to raise the cap-stone which shall bind all together in one solid, substantial structure."¹⁰ He also notes the impact of the organization: "There is not a state, county, city or town in all our country where the influence of our associational work is not more or less felt . . ."¹¹

In 1884, a “new era dawned for the association,” when Thomas W. Bicknell was elected president and he traveled the country promoting the 1884 convention being held in Madison, Wisconsin. At that convention, 54 percent of the delegates were women and, according to Bicknell, “the large opportunity granted to women at the present meeting may be regarded as confession and penance for past shortcomings.” He also spoke of concern for the economic well-being of educators.¹² In 1892, the Committee of Ten, composed of educators and chaired by Harvard President, Charles W. Eliot, examined secondary school curriculum and defined college preparatory curriculum. The committee recommended “the teaching of subjects to

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meet the needs of students going on to college and those who went into the trades.”¹³

In the early 1900s, salaries were still very low, and raises were often given to the male dominated secondary teachers and not the female dominated elementary teachers. This led to a confrontation at the 1903 convention in Boston, where “a fiery Margaret Halley, from Chicago, led a demonstration to bring attention to the lot of teachers.” This demonstration caused the assembly to appropriate money to improve salaries of teachers; and it led to the creation of a National Committee on Salaries, Tenure, and Pensions.¹⁴ At the time, the average salary for high school teachers was \$1,046, the average for women was \$903 and for men \$1,303. The average salary of elementary school teacher was \$661, for women it was \$650, and for men \$1,161.¹⁵

In 1910, Ella Flagg Young, superintendent of the Chicago schools (She also taught at the University of Chicago), became NEA’s first woman president. She was elected from the floor as the “progressive candidate,” her election overturning the nominating committee’s recommendation. Young’s policies and positions on inclusion of teachers at every level of school decision making was revolutionary.¹⁶

Other events were helping improve the lot of teachers. New Jersey passed the first tenure law in 1909 and in 1911 the NEA Committee on Salaries, Tenure, and Pensions began to plan and inform the public about the need for retirement systems. In 1914, NEA passed a resolution on pay equity.¹⁷ In 1919, New Jersey became the first state to enact pension legislation. Many states followed and used the NEA reports to model the plans.¹⁸ Public higher education institutions were part of these pension plans.

In 1920, in an attempt to maintain administrative control and to counter the militancy of the urban teachers, NEA changed from an ad-hoc convention organization to a Representative Assembly, composed of delegates elected from affiliated states and

locals, that would create policy.¹⁹ The irony in this change is that even though the state associations chose the delegates, the effect was a dramatic rise in the number of teacher members at the convention, from 34 percent in 1916 to 61 percent in 1923.²⁰

The 1920s and 1930s saw considerable growth in the NEA's K-12 teacher membership while the higher education membership began to diminish. The likely reason was that a number of organizations founded during this period—the Association of American Colleges (1900), the American Association of University Professors (1916), the American Council on Education (1918), and the American Association of Junior Colleges (1920) among them—began to compete for the

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time and allegiance of higher education faculty and administrators.²¹

Individual higher education members continued to play prominent roles within the association. James W. Crabtree, the NEA's executive secretary from 1917 to 1934 was from the State Teachers' College at River Falls, Wisconsin. In addition, during this period, six higher education faculty members became NEA presidents.²² In 1932, NEA elected John Dewey of Columbia University honorary life president.²³

Another prominent feature of NEA's activities during this period was its defense of academic freedom in the academy. During the 1920s and 1930s, long before collective bargaining agreements, Fred Hunter, of the University of Denver and the University of Oregon, played a prominent role in developing the Association's capability to deal with violations of free inquiry and the principles of tenure and due process. As chairman of the NEA's Committee of 100 on the Problem of Tenure (later the Committee on Tenure and Academic Freedom), Hunter worked tirelessly on behalf of academic freedom in both public schools and institutions of higher education.²⁴

Among NEA's early initiatives was the adoption of a preliminary resolution on the "Freedom of the Teacher" in 1928. The Association established a Committee on Academic Freedom in 1935 to "investigate and report" on cases involving "the violation of the principle of academic freedom" and to "assist in every way" members who were "deprived of their positions in violation of the principles of academic freedom." A new resolution in 1936, defining and defending the principle of "academic freedom," replaced the preliminary resolution of 1928. The Association again revised and expanded that resolution in 1969.²⁵

One of the NEA's most dramatic achievements in support of academic free-

dom was the repeal of the “Little Red Rider.” Congress adopted this resolution in 1935, requiring teachers in Washington, D.C. to swear that they were not communists before they could receive their paychecks. In effect, it deterred teachers from even discussing the Soviet Union.²⁶ Other NEA resolutions broadly condemned “Loyalty Oaths,” affirmed the “Fundamental Freedoms” of thought and expression and condemned book burning and purges, and opposed censorship of instructional materials, teaching techniques, and opinions.²⁷

Beginning in 1940, there was a revival of higher education activity within the Association, and in 1942, the Higher Education Department began to function

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again. (It changed its name in 1952 to the American Association of Higher Education.) Four NEA presidents came from institutions of higher education during this time.²⁸ One of the most illustrious, James D. Conant of Harvard, was the chairman of the National Defense Research Commission during World War II.²⁹ In 1941, the association created the NEA Defense Commission, which became the DuShane Fund for the Defense of Teacher Rights in 1947. The first head of the Defense Commission was Alonzo Myers of New York University. By the time Myers retired seven years later, the legal defense of faculty rights had become one of the NEA’s most essential services.³⁰

During the 1940s and 1950s, the NEA Legislative Commission worked for the passage of the GI Bill of Rights (1944) and the Fulbright Act (1946).³¹ In 1958, The National Defense Education Act (NDEA) increased national funding for science, math, and foreign language study. It also offered funding to college students majoring in these areas.³² In the 1950s, NEA began the first national salary studies for higher education. In 1955–56, it did the same for community colleges.³³

Over the first 50 years, the NEA membership increased from 43 to 5,044. By NEA’s Centennial Year in 1957, NEA had grown to 703,800 members. A highlight of the centennial convention held in Philadelphia, the city in which NEA was founded that year, was an address by President Eisenhower. The event was carried live to other affiliates by closed circuit television.³⁴

NEA was initially opposed to collective bargaining, which is not surprising given the dominance of administrators. The main fear was that strikes would violate NEA’s long-held belief in a unified profession. At the 1962 assembly, the leaders supported a strategy of “professional negotiations,” guided by administrators and without strikes. In the absence of legal authority, the NEA had engaged in a

variety of informal procedures as a means of participating with the school board in determining salaries and conditions of employment.³⁵ In 1962, the Association appointed a task force to respond to growing unrest over salaries and other conditions of employment among teachers. The task force, which included many prominent higher education leaders,³⁶ recommended that the NEA become the agent for those of its members who wished to bargain collectively.³⁷

As it turned out, the process of aiding its members who wanted collective bargaining soon overwhelmed NEA's traditional leadership, as members became increasingly assertive and engaged in bargaining elections, strikes, and contact

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negotiations—and pressed for state statutes establishing collective bargaining rights. The administrators in NEA who had managed the affairs of the Association for more than 100 years rapidly relinquished control. This result was in some senses predictable, because from the 1920s, the public school administrators had actively recruited teachers into the NEA. Higher education members participated actively in this revolution within the Association.³⁸

These bottom-up actions in the 1960s transformed NEA into a labor union. In a single decade, it became the largest and one of the most powerful unions in the country. Between 1967 and 1969, teacher strikes erupted in every region in the country except the South. Because of NEA's federal structure it was not possible for NEA to stop the state associations from assisting their locals in bargaining or other labor union activities. In 1968–69, NEA and American Federation of Teachers (AFT) affiliates conducted 123 strikes or work stoppages, involving 127,000 teachers in 26 states. NEA locals accounted for 80 percent of the strikes. As a result, by 1968–69, nearly 450,000 teachers were covered by 1019 collective bargaining agreements. NEA affiliates accounted for 90 percent of the contracts and 61 percent of the teachers.³⁹

The organizational changes coalesced in a 1971–72 constitutional convention called to restructure the NEA. This body decided that administrator representation in the NEA's would be no greater than its proportion of the membership. Teachers comprised 85 percent of the membership and the decision assured teachers' control of the union.⁴⁰ The administrators had already quit in large numbers in the states. During and following the upheaval, the administrator associations disaffiliated from the NEA, as did the American Association of Higher Education, which became an independent organization. When the administrators left the NEA, the organization

lost many of those who had signed up the members in schools and on campuses. To replace them, the union had to recruit a staff who could recruit, organize, and bargain for the new organization. By 1979, NEA had won collective bargaining rights for more than half of its 10,000 locals and had grown to 1.7 million members.⁴¹

NEA higher education union activism began at the community college level. Two NEA affiliates in Michigan successfully negotiated collective bargaining agreements in 1966 and 1967. Other NEA-affiliated two-year colleges in Michigan, Wisconsin, New York, and Massachusetts soon followed suit. The collective bargaining movement gathered momentum when Central Michigan University,

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Southeastern Massachusetts University, and St. Johns' University, a private institution in New York, negotiated contracts with their faculties.⁴² The CMU contract was the first collective bargaining agreement in an NEA four-year institution. The faculty secured average raises of 12 percent and a meaningful role in decision making.⁴³

In 1973, Ladd and Lipset (1973), reporting on a national study on faculty support for collective bargaining, found that 75 percent of faculty favored collective bargaining, but only 25 percent had unions.⁴⁴ At the time, NEA had 106 affiliates on college and university campuses, representing 46,600 members in collective bargaining out of the 82,452 were organized. NEA represented 56 percent, compared with 36 percent for AFT and 8 percent for American Association of University Professors (AAUP).⁴⁵ By 1975, unions represented more than 130,000 faculty members and professional staff at 80 private and 302 public institutions; 24 states had enacted legislation enabling bargaining in public institutions.⁴⁶

Legal defense of faculty was a critical need in the 1970s. By 1974, the DuShane Fund had litigated or provided assistance in 115 separate college and university lawsuits involving faculty members. The precedent setting cases of *Board of Regents v. Roth* and *Perry v. Sindermann* (heard at the same time by the Supreme Court) determined that no faculty member could be nonrenewed because he or she chose to exercise a constitutional right, and that due process must be given to any faculty member, regardless of tenure status, when charges were made that could damage the persons reputation.⁴⁷ In 1967, the Supreme Court ruled, in *Keyeshian v. Board of Regents*, that academic freedom was a "special concern" of the First Amendment.⁴⁸ In 1974, the Supreme Court ruled to end mandatory maternity leave for teachers. "The court found that such regulations, perpetrated on thousands of female teachers over the years, employ irrefutable presumptions that

penalize a female for deciding to bear a child.”⁴⁹ This case was important to women in higher education, who also suffered discrimination.⁵⁰

Organizing rates for higher education faculty slowed in 1980 as a result of the U.S. Supreme Court decision in *National Labor Relations Board v. Yeshiva University*. In *Yeshiva*, the court declared that faculty in the private sector was ineligible to bargain collectively if they participated in managerial decision-making—that is, if faculty participated in normal governance activities such as determining

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the academic year, or curriculum and graduation standards. Twenty-three campuses lost collective bargaining rights as a result of the court decision. Two years later, 40 percent of unionized private institutions had filed claims seeking to eliminate faculty unions. The AAUP, which represented the largest numbers of faculty in the private sector, was hardest hit.⁵¹ Nevertheless, bargaining agents represented about 229,000 faculty members: approximately one-third of the U.S. professoriate.

In 1987, higher education leaders in the NEA voted to form a council to represent higher education members within the organization. The result was the formation of the National Council for Higher Education (NCHE), which continues as higher education’s voice within the organization. Following the creation of NCHE, in the early 1990s, NEA combined resources to form the NEA Higher Education Research Center in 1992. The center provides technical assistance to affiliates in the areas of compensation, budget analysis, and contract analysis. One of the center’s key publications, the *Higher Education Almanac*, is the only national publication that focuses on working conditions in higher education.

By the 1990s, faced with threats to shared governance traditions, faculty began to react, including those on campuses that previously had shunned unionization.⁵² At Southern Illinois University-Carbondale, for example, the SIU-C faculty, which had decisively rejected unionization in 1988, overwhelmingly approved it in 1996. Similarly, University of Vermont faculty reversed the effects of two earlier organizing drives that had fallen short of certification and voted for AFT in 2001. The total number of bargaining states rose to 33 when New Mexico renewed a bargaining law in 2003. A 2002 law in Washington State extended the right to bargain to the state’s four-year higher education institutions. Faculty on four campuses in the state have chosen to be represented by the United Faculty of

Washington affiliated with the WEA/NEA and the AFT Washington.⁵³ In 2007, the state enacted a law allowing academic professionals to organize.

In another significant development in higher education employment, the numbers of contingent faculty have grown steadily over the past 30 years as tenure lines in institutions have not kept pace with the increased number of students. Although full-time private sector faculty cannot easily organize in the wake of *Yeshiva*, part-time faculty can, and increasingly have taken advantage of the opportunity. The result has been improvements in compensation, job security, and griev-

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ance rights for contingent faculty through collective bargaining. Contingent faculty often bargain issues that affect the quality of their work, such as preparation time, access to campus resources, and allowance for office hours.⁵⁴

Governance has been a pervasive issue for faculties involved in or considering unionization. When the first major union organizing drives began on campuses in the early 1970s, some observers predicted that unions would be the death of the faculty senate, that two parallel governance structures could not coexist. The last 30 years have proved that assumption false. Senates and unions have come to a *modus vivendi* on the campuses.⁵⁵ A study by Maitland and Rhoades found that “unions do not preclude or supersede collegial patterns of decision-making.”⁵⁶ Rather, collective bargaining agreements codify the rights and responsibilities of faculty to engage in such governance activities. In general, unions and senates complement each other, with the union providing legal protection that the senate may lack. The Central Washington University faculty contract, for example, states the university and the union are committed to the principle of shared governance, noting that the senate is concerned with “making recommendations on academic matters and issues relating to the intellectual life of the university.”⁵⁷

In 1998, NEA conducted a survey of faculty, including both leaders and new members. An interesting finding of that survey is that faculty at institutions with a collective bargaining agreement are more involved in campus governance than are faculty at institutions that do not have an agreement. Of concern for the future of governance is the finding that untenured faculty members on most campuses are not involved in most areas of campus governance.

NEA has been the nation’s largest union for more than 25 years and currently has 3.2 million members. In 1988, NEA granted membership to education sup-

port professionals, and today the fastest growing membership in NEA is from custodians, clericals, paraprofessionals, groundskeepers, and other support professionals in K-12 and higher education. Academic professionals, contingent faculty, and graduate teaching assistants are also growth areas for the union.

In the late 1990s, the state associations that comprise NEA rejected a proposed merger between NEA and AFT, demonstrating their continuing strength. But in recent years four states have merged, resulting in growth in higher education membership. Montana, Florida, Minnesota, and New York all have unionized members that now belong to both NEA and the AFT as a result of the mergers. NEA is now the largest higher education union, with nearly 150,000 members and the largest number of organized campuses—almost 500.

Would the founders of NEA recognize the organization today? I think they would. NEA's mission is to provide quality public education for all students. It is engrossed in finding adequate funding for education including affordable and accessible higher education. The research center continues to survey the profession and report on the economic conditions and salaries for teachers and faculty across the nation. NEA continues to look for ways to improve the quality of the teaching. 

ENDNOTES

¹ Allan West, *The National Education Association*, 1980, 14.

² *Ibid.*, 5.

³ The organization was first called the National Teachers Association and changed the name to NEA in 1870. See Zalmon Richards, "Historical Sketch," 16.

⁴ *Ibid.*, 17.

⁵ The state associations who signed the call were: New York, Massachusetts, Missouri New Hampshire, Indiana, Pennsylvania, Vermont, Iowa, Wisconsin, and Illinois. Robert Campbell, a black man from Jamaica who taught at the Philadelphia Institute for Colored Children; Mrs. H. D. Conrad and Miss A. W. Beecher, from Dayton, Ohio attended the meeting and signed the constitution. See Susan Butler, "*The National Education*," 10.

⁶ J. D. Keck, "NEA and Academe Through the Years," 1999.

⁷ Allan West, *op cit.*, 2.

⁸ Zalmon Richards, *op cit.*, 24.

The first woman vice president, Emily Rice, was elected three years later.

⁹ Zalmon Richards, *op cit.*, 26.

¹⁰ *Ibid.*, 19.

¹¹ *Ibid.*, 29.

¹² *Ibid.*, 26.

¹³ Adolphe Meyer, "*An Educational History of the American People*," 408.

¹⁴ Susan Butler, *op cit.*, 27.

¹⁵ The salaries are summarized for each state, reported for males and females, compared the earnings of teachers to other occupations, looked at the purchasing power of the salaries in each city; and reported on tenure and pensions for teachers. The large difference between men and women is attributed to the fact that men tend to teach in the larger cities with higher salaries.

- ¹⁶ Ibid., 28.
- ¹⁷ Ibid., 31.
- ¹⁸ Ibid., 37.
- ¹⁹ Ibid., 38.
- ²⁰ Ronald Henderson, “Teacher Unions: Continuity and Change,” 4.
- ²² Including Frederick C. Hunter (University of Denver, University of Oregon) and Henry Lester Smith (Indiana University).
- ²³ J. D. Keck, *op cit.*, 5.
- ²⁴ Ibid.
- ²⁵ Ibid.
- ²⁶ Susan Butler, *op cit.*, 49.
- ²⁷ J. D. Keck, *op cit.*, 5.
- ²⁸ Lyman V. Ginger (University of Kentucky, president from 1957-58) and Lois Edinger (University of North Carolina, president 1964-65).
- ²⁹ He also served as U.S. High Commissioner for Germany during the postwar occupation, and later U.S. Ambassador to West Germany.
- ³⁰ Ernest O. Melby of the University of Montana succeeded Myers as chairman in 1948.
- ³¹ J. D. Keck, *op cit.*, 5.
- ³² Susan Butler, *op cit.*, 60.
- ³³ The report, *Salary Schedule Provisions on Salaries Paid in Degree-Granting Institutions, 1952-53*, was the first national survey of faculty salaries and salary schedules.
- ³⁴ Susan Butler, *op cit.*, 60.
- ³⁵ Ronald Henderson, *op cit.*, 9.
- ³⁶ George Schultz of the University of Chicago and later Secretary of the Treasury; John Dunlop of Harvard University and later Secretary of Labor; Charles Rhemus of the University of Michigan; and Walter Oberer of Cornell University.
- ³⁷ J. D. Keck, *op cit.*, 4.
- ³⁸ Christine Maitland & Rachel Hendrickson, “Teacher Unions and Higher Education,” 2004.
- ³⁹ Ronald Henderson, *op cit.*, 11.
- ⁴⁰ Allan West, *op cit.*, 230.
- ⁴¹ Ibid., 231.
- ⁴² K. R. Carr, R. K., & D. K. VanEyck, “*Collective Bargaining Comes to the Campus*,” 1973.
- ⁴³ Susan Butler, *op cit.*, 76.
- ⁴⁴ C. E. Ladd Jr., & S. M. Lipset, “*Professors, Unions, and American Higher Education*,” 1973.
- ⁴⁵ Allan West, *op cit.*, 244.
- ⁴⁶ J. W. Garbarino, “*Faculty Bargaining: Change and Conflict*,” 1975.
- ⁴⁷ Susan Butler, *op cit.*, 82.
- ⁴⁸ Michael D. Simpson, “Legal Issues Concerning Academic Freedom,” 2007.
- ⁴⁹ Susan Butler, *op cit.*, 182.
- ⁵⁰ Christine Maitland, “The Inequitable Treatment of Women in Higher Education,” 1990.
- ⁵¹ Christine Maitland & Rachel Hendrickson, *op cit.*
- ⁵² I have worked as a higher education organizer for more than 25 years and have observed that, if there is not dissatisfaction with governance and decision making, it is difficult to organize faculty on economic issues alone.
- ⁵³ Christine Maitland & Rachel Hendrickson, *op cit.*

- ⁵⁴ See Garry Rhoades and Christine Maitland, in the *NEA Almanac of Higher Education 2005, 2006*.
- ⁵⁵ Christine Maitland & Rachel Hendrickson, *op cit*.
- ⁵⁶ Christine Maitland & Garry Rhoades, "Unions and Faculty Governance," 2001
- ⁵⁷ Central Washington University, March 3, 2006

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