

## Report of the General Faculty meeting

June 24, 2020

The executive director, Sarah Kilpatrick (SK), and the president, John McNay (JM), of the Ohio Conference of AAUP spoke with the faculty. Before the meeting, a document on recommended institutional regulations on academic freedom and tenure was shared with the full faculty.

Sarah started off by saying that the AAUP, at the most basic and fundamental level, exists to protect and advance academic freedom.

- Faculty: what advice do you have for faculty at a university which uses the threat of exigency as rationale for making changes to faculty compensation?
- SK: If an institution is going to make drastic changes to the terms and conditions of faculty employment, they should formally declare financial exigency, because it triggers a set of procedures to be followed according to long-standing AAUP guidelines. Pay cuts and other alternatives to faculty termination are preferable to faculty terminations or to eliminations or reductions of academic programs or departments. Non-essential programs, services, and capital expenditures that are truly expendable should be considered first before attempting to change the compensation of faculty. Have those avenues been explored and exhausted first prior to faculty compensation cut?
- Faculty: there's been very limited faculty involvement in these decisions and so we don't know exactly what's being cut where. The university has identified different buckets of cuts in dollar figures, and they've made it clear that everything is on the table. The decisions about the other cuts are in process and have not been decided.
- Faculty also raised the issue that it is still not clear how much the university is willing to draw from the endowment to cope with the crisis.
- Faculty: what steps should the university take to demonstrate a likelihood of exigency?
- SK: the JCU faculty handbook states that the faculty has the right to have faculty members who are not officers of the administration serve as representatives of the faculty on any group which assumes the responsibility for recommending that the president announce that financial exigency exists or is imminent. It is also the spirit of AAUP principles and guidelines that the administration should, in the spirit of shared governance and transparency, consult with faculty on the institutions financial circumstances and faculty should have a say in whether a bonafide financial exigency exists.
- SK: it's up to the faculty to decide whether you can go through a process of true shared governance with the administration on these things. If agreement can be reached without declaring financial exigency, great, otherwise, the AAUP has set up principles for financial exigency so that standards can be followed.

- JM: Declaring financial exigency is the best way to force the administration to be honest about the financial situation, although it might not be in the best interest of the university to do so.
- Faculty: According to the faculty handbook, they can make a general salary reduction to avoid financial exigency. Termination of tenured faculty may happen if the university is in a state of financial exigency or if financial exigency is imminent. What does imminent financial exigency mean?
- SK: The AAUP has never specifically identified the numbers that have to be in place in order for an institution to declare financial exigency. The institution should have audited financial statements and faculty have to be able to review them.
- JM shared that at his university, they have recently created a joint faculty senate AAUP task force to look into the university's finances. The goal of the task force is to use it to apply pressure to the administration to get them to be more honest about their finances.
- JM: The typical practice is for the university to cherry pick some people to sit in the decision-making committees, and then say there's been shared governance. But individuals should be elected to those committees to be faculty representatives.
- Faculty: what advice do you have for faculty in discussing proposals for ending departments or reorganizing departments, especially if existing policies are lacking or incomplete?
- SK: It's longstanding part of AAUP principles that any decisions that are impacting academic departments must be made in consultation with the faculty, and if such decisions are being made due to financial exigency, faculty should have the opportunity to assess the institutions' financial condition.
- Faculty: can the AAUP help the faculty in the negotiation with the administration?
- SK: The faculty should try to make some overtures in terms of communicating with the administration, and if that doesn't work out the AAUP can step in, which may or may not help.
- Faculty: we do have a small chapter of AAUP at John Carroll. Simon FizPatrick is the president. Having a more robust chapter would help us have leverage and would enable us to partner with faculty council.
- Faculty: when the administration requests important decisions to be made in the summer, if we cooperate, are we violating the handbook and therefore relinquishing our rights? And could they make a case later in a lawsuit that says the handbook doesn't apply because you even ignored it yourself?
- Several faculty members suggested that the faculty should not vote on the proposal until September.
- Faculty raised the issues that the various relevant committees in faculty governance, such as the compensation committee and the committee on academic policy are not

involved in the current decision making. It was also pointed out that faculty council members are elected per division which means that no one is actually elected by the entire faculty. The faculty council officers are elected from within the council by the 25 members. It's not representative in the way it truly should be.

- JM offered that the state AAUP could send the administration a letter to push them to be more transparent if necessary, after an effort of settling things internally.
- JM and SK also suggested that a letter can be sent to the administration on behalf of our AAUP chapter requesting the financial information in response to the benefit cut proposals.