

Draft

Report on the Special General Faculty Meeting  
5/7/2021

*Announcements:* A total of 7 grievances have been filed this year, more than the grand total of grievances filed in the previous two decades. The 4th resolved on Monday. The 5th and 6th were completed without resolution yesterday and have been sent to President Johnson. The 7th is ongoing.

14 faculty members called for this special meeting to send a vote to the full faculty about whether Provost Herbert should be censured for the process involved in the decision of terminating Dr. Guest and Dr. Liu's employment at JCU. Provost Herbert cannot attend this meeting but sent a statement to be read to the faculty.

Gerry Guest:

I don't know who the 14 people who called today's meeting are. I support this motion but I was not involved in this. This is an issue of the faculty choosing to exercise their voice in this matter. I'm happy to answer any questions and/or leave the meeting at this point if necessary. I abstain from voting today. I want to thank everyone for being here today.

Brent Brossmann:

Today's vote is to send the vote to the full faculty, not to conclude the issue.

Bo Liu:

Gerry said what's on my mind. I'd like to take this opportunity to thank the faculty members who have shown support to us.

Brossmann read Statement from Steve Herbert: see supplementary materials.

Mariah Webinger:

What's the difference between vote of censure and vote of no confidence?

Brossmann:

A vote of no confidence is an indication that the faculty has lost all faith in a particular person and call for that person to be removed from his/her job. A censure motion says that a particular decision that was made was egregious. This motion is specifically targeted at that action--the process involved in the decision of terminating Bo and Gerry's contracts. There is nothing that stops us from having a conversation about a vote of no confidence in some future date. But that's not what this motion is about.

Medora Barnes:

I haven't read the letters of termination that went out to Gerry and Bo. It struck me when Brent was reading Steve's statement about the effort of finding a home for them. I know a lot of people

have worked hard on that. I'm trying to imagine what sorts of financial decisions Steve thought would improve between October and April when the decision came down. That's not how our financial cycle actually runs here. All the deans voted to continue the minor and relocate them, including Al Miciak, and the decision was not followed. A lot of these were written down in the censure motion, and when faculty council looked at it, they decided that this was an appropriate motion. I can't let these to remain unsaid.

Jeff Johansen:

Steve said in his statement that he took actions to try to relocate Bo and Gerry. This is indeed required by the faculty handbook. But I have not seen any evidence that such efforts were made. There was no discussions about this with the chairs or with the deans. I ask the faculty now if anyone can show evidence that efforts were made to relocate Bo and Gerry.

Phil Metres:

Although I appreciate a lot about Steve, having sat on the grievance committee about Bo and Gerry, we didn't find any evidence that there was any first move made to rehouse them. I think he acted as an activist against the interest of faculty members as the primary representative of us. I find it a violation of his responsibility to us.

Earl Spurgin:

I want to thank those who made the proposal for the censure. I commend it for being directed toward a specific issue rather than some blanket matter. Steve's claims in his statement have already received more attention than they deserve because we all know the story here. If this action by Steve is not worthy of censure of the faculty, I would like to know what would be. I cannot think of anything that the chief academic officer of an institution could do that would be worse than firing two tenured faculty members when there is a perfectly good proposal for relocating them and Steve himself called it a good proposal.

Jim Lissermore:

I served on the grievance committee. I want to second what Phil said. There is no evidence that efforts have been made about relocation. Steve's definition of "efforts" is a violence done to the language. I am deeply upset about the grotesque treatment of Bo and Gerry and I strongly support the motion.

Matthew Berg:

Shortly after the August announcement, my department had a conversation about what our next steps could be. I quickly got in touch with the three other chairs who were part of the relocation proposal. As we talked we understood that Steve was expecting the departments to reach out to him. That was his understanding of the process. If we had not reached out, this thing would have died. We put this thing together. We brought Bonnie into the conversation. She was an eager and very helpful partner. That being said, Steve's characterization of this process is completely false. That alone warrants censure.

Brossmann read the Statement of Professor James T. Bretzke, S.J. on the motion to censure Provost Steve Herbert: see supplementary materials.

[Dianna Taylor:](#)

I was on the other grievance committee. Our committee also didn't find evidence of efforts to relocate Gerry and Bo prior to their being issued the termination of contract.

Spurgin moved; Deniz Durmus (and several others) seconded; 66 yes, 2 no, 24 did not vote.

Barnes:

There's some talk about ways to support faculty and students for those who are attending commencement. Options proposed include little stickers that say "congratulations to JCU graduates" as well as things such as "strong faculty=strong students" as a way of reminding people tastefully that our working conditions are their learning conditions. We'll see if this comes to fruition.

Sheila McGinn:

- 1) Is it reasonable to think that a vote of no confidence in addition to censure? 2) concerning Jim Bretzke's statement, he hasn't been here long enough to know the history of decades of this kind of abuse by the administration. I don't understand how someone whose area is moral theology and therefore ought to be more astute on ethical questions can dismiss this arbitrary autocratic approach to the faculty, eliminating faculty rights and firing tenured faculty with no appeal. It violates everything about Catholic social teaching that I can remember. A vote of no confidence of the whole board of directors would not be amiss.

Tamba Nlandu:

Is there anything that can be done to prevent Herbert from doing more damage?

Brossmann:

Specifically with respect to major changes in curriculum or discontinuance of programs, something has been done. Steve has asked FC to develop a university-wide curriculum committee. It is the hope that CAP will have a proposal next year. Steve has agreed to a procedural change that was put forward by CAP that would require any discontinuation of programs or major changes in curriculum to be run by and through CAP in the interim while the university curriculum committee is still being put into effect. That should protect people over the summer and for next year. There's an argument to be made that we are in an odd time when it's difficult for us to interact effectively with the board, because the administration is answering a lot to the board, so I cannot promise that people will follow through the process that was agreed on. The best I can say is that we will continue to work on them.

Yes there is a possibility for a vote of no confidence in the board. It's not something that we are prepared to do at the moment. It has been discussed at multiple levels including with our attorney.

Marc Lynn:

Can I make a motion that we take a vote of no confidence in the board?

Brossmann:

I'm going to beg you not to do that. Our attorney would say this is a very counter-productive effort.

I'd like to take the opportunity to thank Bo and Gerry for being such incredible colleagues and truly great professors. I can't imagine how professional they have been in going through this incredibly difficult time. You are role models. I have learned a lot from you and the way you handled this incredibly challenging situation. Thank you.