April 14, 2013

The College Grievance Committee recently deliberated on a Grievance filed by 18 Emory College faculty members on April 4, 2013. The College Grievance Committee is a Standing Committee of Emory College, charged to “investigate and hear grievances brought by members of the Emory College Faculty. A "grievance" is any complaint of a faculty member relating to the employment relationship with Emory College including, but not limited to, improper administration or application of policies, unfair or unequal treatment, and working conditions. The committee makes recommendations to the Dean or the appropriate administrator.”

Given the broad scope of this charge, the Committee determined that it is an appropriate body to consider the grievances presented that are specific to Emory College. The College Grievance Committee is not charged, however, with hearing grievances against the Laney Graduate School or the University, so those aspects of this complaint were not addressed.

The Grievance filed included the following statements:

**Violations of the Emory University Bylaws and the Emory College Faculty Bylaws**

The elimination of University departments and programs as announced on September 14, represents two critical violations of the Emory Bylaws. First, they contravene the faculty’s primary responsibility for curriculum. Second, they violate the primary responsibility of the Governance Committee (GovCom) to represent the faculty in core College governance matters.

In reviewing relevant materials from the College Governance Committee, the Grievance Committee notes that GovCom considered the issues raised in this Grievance at their meeting on October 18, 2012. The minutes from that meeting report that

**“the committee again revisited the procedures for faculty input to the**

**dean. One important clarification that was discussed by the committee and the dean is that the recently announced changes were in fact decisions made by the College dean. GovCom appointed the CFAC to provide faculty input to the dean regarding these decisions, but neither GovCom nor the CFAC has the authority to make actual decisions about reorganization of resources within the College. The committee is**

**comfortable with the process that was implemented to advise both deans (Paul and Forman) in recent years and does not plan to revisit the organizational changes announced this fall.”**

As the Grievance notes: The College Faculty Bylaws (Art. V, Sect. 1) state that: “The Governance Committee represents the Emory College Faculty.” The above minutes, as well as an interview with the Chair of GovCom on April 12, indicate that GovCom believes it was able to provide adequate input to the Dean regarding the decisions announced on Sept 14, both directly and through the CFAC that it appointed. GovCom further believes that these decisions are *primarily* programmatic ones, although they certainly have implications for the curriculum. For that reason GovCom elected to provide faculty input partly through CFAC rather than through the Curriculum and Educational Policy Committees. We believe this was a reasonable decision.

The Grievance concludes with four requests:

**We ask, therefore, the following:**

**1) That the Grievance Committee affirm the primacy of the Bylaws.**

**2) That the Grievance Committee exercise its responsibility under the Bylaws and recommend the University void the announced elimination of the programs and the position cuts that are set to occur in**

**concurrence with the closing of the adversely affected programs and departments.**

**3) That, in keeping with the Bylaws’ call for the committee to make its recommendation to the Dean or an “appropriate administrator,” and inasmuch as Dean Forman was directly involved with this process,**

**the Grievance Committee file its recommendation with Provost Claire Sterk.**

**4) That the Grievance Committee act on this grievance in a timely manner, and submit its recommendation before the close of the Spring 2013 semester.**

In response, the Grievance Committee offers the following:

Since the Governance Committee has already deliberated and ruled on the issues contained within this complaint, the College Grievance Committee finds no cause to pursue this matter further.

The Grievance Committee is a Standing Committee of Emory College and does not possess any jurisdiction allowing it to make recommendations to the University.

The Grievance Committee does not have any recommendations to make at this time and has determined that it is appropriate to communicate this finding to Dean Forman, with a copy forwarded to Provost Sterk.

The Committee is submitting this report in April, 2013.

Respectfully Submitted,

Sheila T. Cavanagh

Professor of English and Chair of Emory College Grievance Committee