



EMORY
UNIVERSITY

Earl Lewis
*Provost and Executive Vice President
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December 21, 2012

Jennifer J. Nichols, Ph.D.
Associate Secretary
Department of Academic Freedom, Tenure, and Governance
American Association of University Professors
1133 19th Street, NW, Suite 200
Washington, DC 20036

Dear Dr. Nichols:

As Provost of Emory University, I am writing in response to your letter to President James Wagner and Professor Barbara Ladd, dated December 7, 2012, challenging the extent to which Emory faculty were involved in recent decisions announced by Robin Forman, Dean of the Emory College of Arts and Sciences, in September.

I am aware that you have received a letter, dated December 11, 2012, from the current and past two chairs of the College Governance Committee - Professors Crouse, Weeks, and Lutz - in which they express dismay over aspects of your letter, clarify certain facts that apparently were not shared with you by the local AAUP chapter, and defend the role played by faculty governance in the years leading up to Dean Forman's announcement. I further am aware that you have responded to these faculty governance leaders on December 14, 2012.

In light of the exchange with Professors, Crouse, Weeks and Lutz, I will not engage in a point by point clarification of your letter, but rather make some general comments.

First, faculty have a fundamental role in the governance of Emory College. The College faculty perform that role through the Bylaws of Emory College Faculty. Those Bylaws are created and adopted by the faculty and set forth the way in which the faculty has decided to exercise its authority. As the letter of Professors Crouse, Weeks, and Lutz articulates, those Bylaws describe the responsibilities of an elected College Faculty Governance committee: "***The Governance Committee represents the Emory College Faculty***" [emphasis in the original] and "may consider and take positions on any matter of interest to Emory College faculty." In particular, "**The Administration shall consult with the Governance Committee on all matters pertaining to the College and to the Faculty of the College.**" This consultation shall include but not be limited to proposals for the development and modification of College programs and the setting of priorities and goals for the College." Equally important, this section states that, "In conducting its business, the Governance Committee appoints subcommittees, which may be composed of members of the Governance Committee or non-members, or both." [emphasis in the original]

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Adhering to these Bylaws, the College Governance Committee created in spring 2009 a subcommittee, the College Financial Advisory Committee, which at all times included at least two members of the College Governance Committee, as well as members appointed by the Governance Committee through an open nomination process. The membership of the subcommittee was designed to ensure that each division had representation, and that non-tenure-track faculty were represented as well. The subcommittee reported to the College Governance Committee. The Dean of the College also made reports on its work to the department chairs and program directors of the College.

The decisions announced in September 2012 by Dean Forman were the result of extensive and significant work of the College Financial Advisory Committee -- a duly authorized subcommittee of the College Governance Committee. To re-emphasize the purposes of these processes and decisions: the charge of the College Financial Advisory Committee was to advise the Dean on priorities in the light of pressures affecting the academic environment for students and faculty; therefore, it had access to both academic documents (such as department planning documents and external reviews) as well as extensive budgetary information. In the end, no set of decisions of this kind can be described as either purely "educational" or "financial." They are decisions about our academic priorities and aspirations in the face of a continuing set of intense financial challenges. They are designed to ensure the financial health and sustainability of Emory College of Arts and Sciences as it pursues its academic aspirations in both scholarship and teaching.

Second, Dean Forman and the faculty governance body, specifically the subcommittee of the College Governance Committee, made their decisions with the best interests of Emory College in their hearts and minds. They envision, as I do, a future for Emory College in which excellence and eminence are expected from all quarters. Achieving that future requires attention to the current academic and financial state of the College. As stewards, both faculty and administrators here recognize that Emory College cannot be excellent or eminent in all things, and consequently choices must be made. Indeed, it is our obligation to make those choices. Good stewardship inevitably requires that the faculty and administrative leadership make choices about how to pursue excellence.

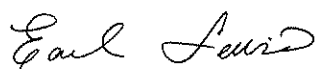
Third, your letter raises concerns about whether long-serving faculty members have received adequate protection under the reallocation plan. I am confident that we have acted with the professional consideration and personal respect due to those who have contributed in important ways to the Emory community. Your letter cites section 4(d) of the "Recommended Institutional Regulations on Academic Freedom and Tenure." However, that section refers to the "termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of the specified term." In this case no appointments of continuous tenure are being terminated, nor is any probationary or special appointment being terminated before its specified term. All tenured faculty will be reassigned to departments where they can continue to pursue the teaching and research interests that have shaped their careers. All non-tenured faculty will continue to receive the full protections and privileges afforded to members of the faculty, as described in the College and University handbooks. No faculty member is being dismissed before the term of his/her contract coming to conclusion. In fact, those whose current contracts expire at the end of this academic year have been offered one-year extensions to allow for a more graceful transition.

Fourth, your letter also references the Laney Graduate School (LGS). For many years, faculty in the affected departments have been engaged in discussions about challenges and opportunities. I personally was involved in several of those conversations, and can attest to the extensive faculty involvement in the review process that lead to Dean Forman's decisions. These conversations were over and above the periodic reviews of all academic units with a MA/MS or PhD component. Moreover, most of the College faculty members involved in the above-described subcommittee of the College Governance Committee are also members of the Laney Graduate School faculty. That said, discussions subsequent to Dean Forman's announcement have identified the need to review and update LGS faculty governing documents. Indeed, in a November 15, 2012 letter, the LGS Executive Council (EC) stated that "In the spirit of learning from the past and moving forward, the EC is planning a review of the Faculty Governance Document adopted in 1995 in an effort to define . . . the process that should be formalized and adhered to should the suspension or closure of a graduate program be necessary in the future." I understand that Dean Tedesco has enthusiastically supported that effort, and has pledged to work with the Executive Council to further strengthen faculty governance in the Laney Graduate School.

I would like to note, in closing, that Dean Forman has met with the leadership of the Emory chapter of the AAUP since those leaders sent their original letter to you. He did so both to respond to several of the concerns that they voiced, as well as to provide them with additional information about the process that Emory College leadership has followed. He offered to meet with the full membership of the AAUP local chapter, and the leaders are planning to schedule such a meeting.

Starting January 1, 2013, I will be serving as President-Elect of the Andrew W. Mellon Foundation. Any further communications, if needed, should be directed to Dr. Claire E. Sterk, who will be performing the role of Acting Provost.

Sincerely,



Earl Lewis, Ph.D.
Provost and Executive Vice President for Academic Affairs
Emory University

cc: Dr. Barbara Ladd, President, Emory Chapter AAUP
Dr. Claire E. Sterk, Acting Provost, Emory University
Dr. James Wagner, President, Emory University