

## Resolution on Administrative Transparency, Shared Governance, & Faculty Hiring

27 January 2022

Whereas, the provost has recently overseen the development of, and promulgated, new guidelines for faculty hiring that substantially undermine and dilute faculty influence, and constitute major departures from the 2016 *Faculty Recruitment Procedures and Recommended Strategies for Expanding and Retaining a Diverse Faculty*; and

Whereas, in developing these guidelines, the provost failed to consult with the Faculty Senate Steering Committee about proposed changes to the 2016 *Faculty Recruitment Procedures and Recommended Strategies for Expanding and Retaining a Diverse Faculty*; and

Whereas, the Faculty Handbook states that “any new or revised policy proposed for the Division of Academic Affairs and under consideration by the Provost concerning the employment relationship between an instructional faculty member and the university must be sent to the [Faculty Handbook Committee] for a recommendation concerning its inclusion in the Faculty Handbook. The [Faculty Handbook Committee] must consider including any such policy sent to it that would impact the provisions of the Faculty Handbook.” (II.E.4.a); and

Whereas, the Faculty Handbook further states that “other divisions [besides Academic Affairs] are expected to send proposed new or revised policies to the committee if the policies would affect provisions of the Faculty Handbook,” and that the Faculty Handbook Committee “must consider including any such policy that would have an impact on the provisions of the Faculty Handbook, or that it deems may be included in the Faculty Handbook.” (II.E.4.b); and

Whereas, the Faculty Handbook states that “The Office of Equal Opportunity’s *Faculty Recruitment Handbook* must guide all faculty searches conducted at the university,” as does Policy 2101;<sup>1</sup> and

Whereas, the *Faculty Recruitment Handbook* is the **only** document that the Faculty Handbook explicitly says “must guide all faculty searches”; and

Whereas, despite the provost’s failure to properly consult with either the faculty or its representatives, the 2021 guidelines were announced as a *fait accompli* in September 2021; and

Whereas, given the scope and magnitude of 2021 guidelines’ changes to standing practices and policies; their undercutting of faculty influence over hiring procedures; the de facto changes to the Faculty Handbook they constitute; and their implications for shared governance; the provost was obligated to consult with the faculty and its representatives, but failed to do so; and

Whereas, the provost’s development and promulgation of the 2021 hiring guidelines violates both the spirit and letter of the Faculty Handbook; and

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<sup>1</sup>III.C.1. General Procedures for Faculty and Administrative Appointments. And <https://www.jmu.edu/JMUpolicy/policies/2101.shtml>

Whereas, the development of the 2021 hiring guidelines during the summer of 2021 (given that “most instructional faculty appointments are academic year appointments,” which “entail duties that are approximately nine months in length, starting two weeks prior to the first day of classes in the fall and ending two weeks following commencement in the spring”<sup>2</sup>) is part of a continuing pattern of non-transparent administrative behavior in which administration does things that improperly sideline faculty; and

Whereas this continuing pattern of non-transparent administrative behavior subverts the function of the Faculty Senate, which is “to represent the faculty in the consideration of all policies that affect the academic climate and direction of the institution” and to “consult with appropriate resource persons concerning academic policy.” (IV.C); and

Whereas, therefore, this continuing pattern of non-transparent administrative behavior poses an ongoing serious threat to shared governance, academic freedom, trust, and faculty morale; and

Whereas, this continuing pattern of non-transparent administrative behavior is contrary to normative principles of shared governance enunciated by the American Association of University Professors’ 1966 *Statement on Government of Colleges and Universities* and the AAUP’s *On the Relationship of Shared Governance to Academic Freedom*;<sup>3</sup>

Be it therefore resolved that the 2021 hiring guidelines be immediately and irrevocably withdrawn, and that the faculty and the faculty senate, with the provost, undertake revisions of the governing (?) 2016 document; and

Be it further resolved that the administration pledge, in writing, not to take steps that potentially implicate shared governance and academic freedom at any time when most instructional faculty are not on contract.

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<sup>2</sup> Faculty Handbook III.D.2.a

<sup>3</sup> <https://www.aaup.org/report/statement-government-colleges-and-universities> “[S]ince the faculty has primary responsibility for the teaching and research done in the institution, the faculty’s voice on matters having to do with teaching and research should be given the greatest weight...that is, the administration should concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail.” <https://www.aaup.org/report/relationship-faculty-governance-academic-freedom>. The 2020 COACHE Survey finds that the JMU administration is, among its peer institutions, in or near the bottom third as regards shared governance issues, and since 2016 has declined on all governance measures. <https://www.jmu.edu/academic-affairs/policies-and-reports/coache.shtml>