

## **Resolution of Condemnation of Recent Actions of JMU's Provost**

*Whereas* during Fall 2022, the provost demanded publicly in the Faculty Senate (on Sept 1 2022 as she read her report to the Faculty Senate), and privately with the Senate Speaker and the Senate Marshal (on Aug 31 2022 from 12:15pm-1:00pm in Alumnae Hall 201), the disclosure of the name(s) of the author(s) of the senate resolution on *Transparency and Accountability of A&P Hires Within the Division of Academic Affairs*, and

*Whereas* the provost further threatened to make the author(s) of the resolution subject to an investigation for libel and for breaching confidentiality rules related to a search, and

*Whereas* the provost's public and private demands to investigate and reveal the authorship of the resolution on *Transparency and Accountability of A&P Hires Within the Division of Academic Affairs* can reasonably be perceived as a threat to retaliate, and

*Whereas* the provost's actions likely violated the spirit if not the letter of state law (see [Code of Virginia, § 40.1-27.3](#), retaliatory action against employee prohibited; [State and Local Government Conflict of Interests Act, § 2.2-3103](#)), and

*Whereas* the provost likely violated [JMU Policy 1106](#), which states that all JMU employees "are bound by the terms of the State and Local Government Conflict of Interests Act" and which forbids JMU employees and officers from using employment "to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law," and

*Whereas* the provost's silencing actions have exacerbated a culture of fear and systemic intimidation, producing among many faculty a chilling effect on their willingness to communicate concerns about JMU governance, and

*Whereas* the provost's behavior toward faculty has been at the very least un-cordial and un-collegial, as well as potentially unethical and illegal, and

*Whereas* the concerns with A&P searches raised in the resolution on *Transparency and Accountability of A&P Hires Within the Division of Academic Affairs* add to a growing culture of distrust among faculty towards the provost's office;

*Be it resolved* that the JMU Faculty Senate condemns the dissolution of meaningful faculty input and the lack of transparency and accountability in the process by which appointments are determined in senior and divisional leadership roles within the Division of Academic Affairs;

*Be it further resolved* that the JMU Faculty Senate condemns the dissolution of meaningful shared governance within the Division of Academic Affairs;

*Be it further resolved* that the JMU Faculty Senate condemns the culture of intimidation emanating from the provost's office.