

Resolution Regarding Transparency and Accountability of A&P Appointments within the Division of Academic Affairs

Whereas the American Association of University Professors' Statement on Government of Colleges and Universities asserts the importance of adhering to standards and procedures of sound academic practice, which includes acknowledgement of (or responsiveness to) dissenting faculty views, and

Whereas as reported by the COACHE task force in 2021, the single largest decrease in faculty satisfaction among the 25 benchmark categories was with senior leadership, followed by a significant decrease in satisfaction with divisional leadership and in both "trust" and "shared sense of purpose" (p. 15 <https://www.jmu.edu/academic-affairs/policies-and-reports/coache.shtml>), and

Whereas the 2021 CLIMATE survey reports that "seventy-five percent of tenured and tenure track faculty respondents 'strongly disagreed' or 'disagreed' that JMU leadership (e.g. vice presidents, provost, deans) meaningfully include faculty in decision making processes," (p. 198 Climate <https://www.jmu.edu/speak-up-dukes/final-report/index.shtml>) and

Whereas the 2022 College of Science and Math (CSM) dean search process, as authorized by the provost (as hiring authority), involved the following non-transparent and intimidating practices, including but not limited to:

1. *Dispensing of all qualitative faculty feedback:* (through an email communication from the Office of the Provost to CSM faculty on April 7 2022 titled: Update on CSM Dean Search- Requesting your participation) Members of the search committee were not allowed to view qualitative faculty feedback. All qualitative feedback for all candidates as submitted by faculty via the initial online survey was deemed "inappropriate or irrelevant" by the provost and the search committee chair, in consultation with Human Resources and Legal teams, who "rendered the [faculty] feedback unusable." The provost's office refused to provide any evidence or adopt a less severe response (such as selected redaction)
2. *Mishandling conflict of interest concerns:* (through an email communication from the provost to the chair of CSM college council at the time, on March 22 2022) The provost (as the hiring authority) failed to acknowledge or successfully mediate at least one perceived conflict of interest related to the search committee. The provost's reply to the concern regarding the conflict of interest did not follow proper procedure to address the perceived conflict of interest, such as citing relevant policies, or consulting appropriate offices who oversee such matters
3. *Copying only one of the candidates on email correspondence concerning the search:* (through the same email communication- referenced in point 2 above- from the provost to the chair of CSM college council at the time, on March 22 2022) When the provost responded to the inquiry about a possible conflict of interest raised by a full-time faculty

member, the provost responded to the faculty member's email by cc'ing the potential subjects involved in the conflict of interest—including the internal job candidate. Copying the internal candidate puts the integrity of the search in question, as it raises concerns of favoritism and unfairness to the other (external) candidates. It also raises concerns of retaliation for the faculty members raising the issue, since the copied candidate was (1) the internal candidate, (2) was already serving in the position for which the search was being conducted, and (3) was a supervisor with authority over the faculty members who raised the concern,

4. *Not allowing the search committee to present a summary of committee findings to stakeholders invested in the search, and*

Whereas the process in the aforementioned search failed to follow principles of genuine transparency and meaningful shared governance, and

Whereas the decline of transparency regarding the search processes for divisional and senior leadership within the Division of Academic Affairs have further eroded faculty trust in JMU's commitment to shared governance, and to meaningful faculty input within the Division of Academic Affairs;

Be it resolved that the language of [JMU Policy 1106](#) on Conflict of Interest be revised, or a new policy or guidelines be written (for example, similar to the [National Science Foundation's policies](#)), to include a clear process to be followed when concerns about conflicts of interest are raised regarding searches or other academic matters, and to include a mechanism by which faculty—or a neutral third-party on their behalf (such as the faculty ombudsperson)—can verify and document that the conflict of interest claims have been properly handled and resolved;

Be it further resolved that the language of the non-disclosure confidentiality agreement required of search committees be rewritten to clarify that confidentiality about the personnel involved in the search does *not* preclude committee members (or faculty) from raising actionable objections in response to perceived violations of the *search process*;

Be it further resolved that by April 2023, senior leadership publicly adopt policy and guidelines which establish a transparent and accountable search process for divisional and senior leadership within the Division of Academic Affairs, in proactive and meaningful consultation with members of instructional faculty and staff. This policy must allow committee summary reports of searches and should include a mechanism by which faculty—or a neutral third-party on their behalf (such as the faculty ombudsperson)—can verify claims that normal search processes must be suspended. In general, search processes must follow the recommendations of the American Association of University Professors' Statement on Government of Colleges and Universities.