

## Other comments...

### Is this an attack on tenure?

- *I am deeply concerned and feel personally threatened by this policy. Faculty are granted tenure by the university itself and that is a commitment based on the colleague's proven track record. Eliminating faculty by eliminating programs is potentially the very political tool that the original creators of tenure policies were trying prevent.*

*My alma mater Samford University eliminated its journalism program, the oldest in Alabama, in 1975 after student journalists discovered administrators' financial mismanagement of land deals. Tenured faculty positions were eliminated then. The policy decision there was a successful attempt to stifle criticism.*

*The financial stringency policy creates the same climate of threat at a public university that was present then and too often now at private institutions.*

*As my colleague Professor John Fitch has noted, "Exigency has very specific financial parameters. There are no such parameters for "financial stringency." In fact, there is no clear definition or explanation of financial stringency, so no one knows when/how it could be triggered. It's a vague term that would certainly lead to arbitrary and capricious behavior."*

- *I am writing to express my opposition to policy 4.3.17 as currently written. The proposed criteria for discontinuing programs and ending tenure in cases of "financial stringency" are far too broad. This policy as written would disempower departments and faculty, reducing shared governance. It lowers the bar for eliminating faculty lines and removes much of the protection of tenure that we as faculty value so highly.*

*I understand the need for greater financial flexibility. However, this policy goes too far, at the expense of faculty and, by extension, endangers academic freedom and EKU's mission of academic excellence. "Financial stringency" has seemingly become the new normal for higher education in the state of Kentucky; if this policy were passed, the extra-ordinary powers it allows for what is essentially the fast-tracked elimination of programs would become a near-permanent sword hanging over the heads of faculty.*

*This policy, if passed as written, will ultimately lead to further reduction of faculty morale and instead usher in a sense of constant paranoia, as it strips away necessary protections for programs and faculty.*

- *I don't think that there is any positive light in which to view policy changes such as this. Any effort on the part of the University to weaken tenure and make it easier to eliminate programs and faculty lines is inimical to our shared interests and should be vigorously*

*opposed. The University, with this policy, could conceivably decide to eliminate programs and faculty just to save money. I think that violates the spirit and expectations of tenure.*

- *1. We already have a difficult enough time attracting new faculty to fill positions, which is correlated to decreased enrollments. Terminating tenured faculty will further impede our ability to attract qualified candidates (and thus students), especially in my field, where professional experience is paramount along with a terminal degree. In fact, it is the protection of tenured faculty that attracts the best and brightest professionals who have a passion for teaching.*

*2. The morale at ECU is and has been at an all time low for the past several years. Faculty have been working extremely hard to do their own jobs in addition to extra responsibilities (such as recruiting). We have gone years with no raises and to now threaten to terminate tenured faculty for something that is beyond faculty members' control (financial stringency) will further lower morale and will undoubtedly leave a permanent mark on the university.*

*3. Faculty such as myself have been offered jobs at other universities before the talk of faculty stringency. I declined the offers because I have tenure at ECU. Indeed, the rationale for staying at ECU was the protection of tenure, something for which I worked very hard to **earn**. To change the rules after the fact is akin to "bait and switch tactics," which are highly unethical to say the least. Just because the university has a "legal" right to impose such tactics does not mean it is ethical.*

#### **Where is the probation policy?**

- *We assume (maybe wrong) that there is a separate document regarding putting programs on probation, notice, etc. based on such performance data, but there is no demonstrated link between that policy and this one. Shouldn't declining programs be put on probation first before going to "the cutting"?*
- *I didn't see anywhere in the policy wherein the emotional side of closing programs is accounted for. The main issue to me is: How long will affected employees have from the decision to close their programs until their last pay check? Is there going to be any compensation for being terminated, including the continuation of health cover? Should this policy cover things like that?*

#### **Where is the policy for financial stringency of non-academic units such as athletics?**

- *This might be beyond the specific scope of this document, but as was also mentioned during the faculty meeting, there should be a similar document/procedure in place for non-academic units, most notably athletics. Perhaps such a document could be linked to*

*this one in that alternatives to cuts in academic units should be preceded by determining if cuts could be made in non-academic units, especially if said non-academic units would fail the financial stringency test outlined for academic units by the proposed policy. Given that we are told that athletics also has "intangible benefits" that must be considered in financial decisions (how one does that objectively is questionable), perhaps that language should also be included for academic units!*

- *Given our university's mission, it is in our long-term best interest as an institution of higher education to make cuts to non-academic units first. In doing so, all units, even if revenue-generating, should be scrutinized and considered since many cost more money than they generate. Without strong academics, we fail the first and most important mission we have to our service region and therefore academics should always be among the last and lightest cuts we make.*

### **Shouldn't this policy be tabled for now?**

- *My concern is how strategic the university will be with their decision making. A case in point is associate degree nursing, eliminated and then reinstated costing valuable financial resources. Department budgets and professional development have been significantly reduced, and both are to the detriment to program marketing. The timing of this policy could not be worse given where the nation is with Coronavirus, the general financial panic people are experiencing, and the uncertainty of what lies ahead for higher education funding. This policy should be tabled in the interest of faculty morale.*
- *My thought is that - if it proceeds - the faculty could (and should immediately) complain that the EKV administration (including the interim president and Board Chair) is deliberately choosing this time of crisis to unilaterally (to my knowledge, no other Ky universities are doing this) make permanent an unpopular old Bevin administration agenda item (after Kentuckians have spoken on that administration, and particularly its education policies) to eliminate tenure in a way that is both unnecessary (since the language in the current [Bevin] budget bill already permits this) and unwise (because it is harmful to a faculty that has seen its salary eroded through increased healthcare costs...etc., along with the erosion of EKV's faculty retention rate, and the faculty hasn't seen a raise in X years), and the administration is doing so while faculty are absent from campus, in a legally questionable manner, by attempting to skirt existing policy, and substitute a nearly-synonymous new policy (financial stringency for financial exigency) in an effort (as stated, by Pogatshnik) to avoid the unpleasant but intended consequences of the existing policy (with the hope that the folks at Moody's could not see through such a thin ruse and not downgrade our bonds) and that removes faculty due process protections, and that is meant to allow any current or future president (not the Board) to simply remove the constitutional property rights inherent in tenure from all faculty (without any provision for its reinstatement) by simply stating that stringent*

*financial measures are necessary (without any definition of what constitutes financial stringency), in a budgetary environment that could always be said to be stringent, if not due to actual financial hardship, but also if simply declared to be so, due to the press of other priorities – even, attempts by the administration to spend millions seeking to move ECU athletics into a more expensive conference.*

*Both a well-written letter from an attorney suggesting the constitutional issues may need to be explored, and a coordinated twitter campaign would seem to be timely.*

*Faculty leadership should openly resist and publicly state its case. Great teaching is what ECU has to sell. It is already what we are historically known for and in large measure will determine our future as an institution. ...while the faculty appreciates all of the commendations it has received in letters from the president for the way it has responded to the COVID 19 crisis, as well as many other challenges over time, we believe those commendations to be deserved. But the true test of the way an administration values its faculty (or not) is through the actions of the administration toward the retention of excellent faculty, not its sweet talk. This is a critically important time for the university. While the faculty leadership does not wish to do anything to tarnish the image of ECU in the eyes of any potential students, candidates for the presidency, nor the current administration, we cannot sit idly by and accept this attack on our professional well-being and the well-being of our families without objection. The proposed financial stringency policy must be withdrawn...or something like that.*

*Delaying might be the right move but it keeps the issue alive – unless the President and Chair agree to withdraw the policy. It also keeps David in the hunt for the permanent job, so depending on how you feel about that, it could go either way. The faculty has some leverage while the search is going on. After that, not as much. Every candidate for the presidency should be forced to take a position on faculty tenure.*