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case.edu/facultysenate

Resolution on John Carroll University

The Faculty Senate of Case Western Reserve University is distressed to learn of the decision by the Board of Directors at John Carroll University to alter the Faculty Handbook there so as to permanently lower the standard for the kind of budgetary problems that allow for dismissal of tenured faculty from “financial exigency” that threatens the survival of the institution to “budgetary hardship” that includes but is not limited to certain financial difficulties (<https://www.insidehighered.com/news/2021/03/05/john-carroll-u-dramatically-alters-terms-tenure>).

The standard of financial exigency as the appropriate financial threshold to justify breaking the mutual commitments embodied in tenure for faculty has long been that formulated jointly by the American Association of University Professors (AAUP) and the Association of American Colleges, now the Association of American Colleges and Universities, in their 1940 Statement of Principles on Academic Freedom and Tenure and elaborated on in the AAUP’s Recommended Institutional Regulations on Academic Freedom and Tenure (<https://www.aaup.org/report/recommended-institutional-regulations-academic-freedom-and-tenure>). This standard is widely accepted in American colleges and universities. The national AAUP, in a letter to their JCU chapter and shared with the JCU Board of Directors, stated that JCU’s now-adopted standard of budgetary hardship is “fundamentally at odds with the 1940 Statement” and “strikes directly at the heart of tenure at this institution, leaving all faculty members tenured in name only.”

As disciplinary colleagues of the faculty at John Carroll University and as supporters of universities in general, the Faculty Senate of Case Western Reserve University stands with the faculty of John Carroll University who object to the new terms of the Faculty Handbook there. Not only do we share their objection with the substance of the changes, but we also share their objection to the procedure followed to enact those changes, which disregarded the overwhelming majority sentiment of JCU faculty as expressed in votes taken in September 2020, October 2020, January 2021, and February 2021 (<https://savejcu.org/timeline/>), and rejected the counterproposals put forward and approved by the JCU faculty. Principles of shared governance exist to support free inquiry and learning in all universities, and infringement of those principles at one institution endangers those same principles at all institutions.

The Faculty Senate of Case Western Reserve University resolves:

- 1) To call upon the Board of Directors and administration of John Carroll University to reconsider their action and to work with the faculty of JCU to structure the Faculty Handbook to protect a meaningful institution of tenure in all cases except for financial exigency; and
- 2) To direct the Chair of the Faculty Senate and the Secretary of the University Faculty to transmit copies of this resolution to the President of John Carroll University and to the Chair of the John Carroll University Faculty Council.
- 3) To direct the Chair of the Faculty Senate to contact the chairs of faculty senates of private Ohio universities to urge them to take similar action.