

Approved by Committee A  
June 6 and 7, 2008

## SOUTHERN UNIVERSITY AT NEW ORLEANS

Among the five institutions investigated by the Association's Special Committee on Hurricane Katrina and New Orleans Universities, the hurricane caused the greatest damage at Southern University at New Orleans (SUNO), that city's branch of Louisiana's historically black Southern University System. SUNO's buildings, flooded by ten feet of water, have remained unusable for nearly **three** years now, with temporary trailers being used as classrooms, laboratories, administrative offices, and student housing. SUNO reopened after four months, in January 2006, with a student body reduced by more than one-third and with a curriculum imposed by the state's board of regents that suffered from the elimination of nineteen degree programs in the arts and sciences, only a few of which are now being restored.

With respect to the faculty, fifty-five professors, thirteen with tenure, were placed on unpaid furlough at the end of 2005. The actions were taken under a new "force-majeure" policy adopted by the board of supervisors of the Southern University System to supersede, at SUNO, the system's existing financial-exigency policy, which is by and large consistent with AAUP-supported standards. The new SUNO policy closely resembled the "force-majeure" policy adopted at approximately the same time by the Louisiana State University System board of supervisors for the LSU Health Sciences Center in New Orleans. It denied the faculty any significant role in determining how many, and who in particular, would be furloughed. An appeal against placement on furlough could be made only to the administrative officers who had issued the notifications of furlough. A few tenured professors filed appeals, claiming in part that courses they were qualified to teach were being assigned to nontenured faculty members. The report of the investigating body concluded that the furloughed professors had been

denied academic due process as called for in Regulation 4 of the Association's *Recommended Institutional Regulations on Academic Freedom and Tenure* and that the appropriate faculty role in decisions fundamentally affecting academic programs and faculty status, as set forth in the *Statement on Government of Colleges and Universities*, had been disregarded.

Committee A was scheduled to report to the 2007 annual meeting on the SUNO investigation, and prior to that time the SUNO administration indicated interest in dealing with the Association's stated concerns. The concerns were discussed at a May 2007 meeting of administrators and faculty senate officers, with constructive exchanges that both parties found to be a welcome step toward sound academic governance. Seven cases of furloughed tenured professors that by then were still unresolved were reviewed, with particular attention to three that the AAUP staff had recommended for corrective action. The attorney for SUNO informed the group of an intention to abandon the "force-majeure" policy after potential resolutions of the remaining cases had been pursued further.

A May 29, 2007, letter from SUNO's chancellor informed the Association of the adoption of a process to consider further reinstatements. His letter expressed hope that the process would be completed, and the "force-majeure" policy thereby discontinued, by the close of the calendar year. With Committee A about to convene for its spring 2007 meeting, its staff pressed the chancellor and the administration's attorney for a prompt statement on the procedures to be followed if additional tenured professors were to be released before the "force-majeure" policy was officially lifted. The attorney's firm replied that it was not in a position to address the matter. Committee A stated in its report to the 2007 annual meeting that it could not "countenance the possibility of the 'force-majeure' procedures, as applied at SUNO in December 2005, being applied again," and the annual meeting voted to impose censure.

Committee A is happy now to report to the 2008 annual meeting that the year since censure was voted has witnessed developments at SUNO that

substantially resolve the Association's remaining concerns. By last winter, all of the cases of furloughed professors where the Association's staff had recommended corrective action had resulted in an offer of return to a tenured SUNO position. Most have already returned or have arranged to do so beginning with the academic year 2008-09. Two who have declined offers have explained that they appreciated getting them but that they are better off in their current positions than in anything that would be available at SUNO. As to the official policy on financial exigency, the system's board of supervisors voted in October to accept a joint administration-faculty SUNO proposal that the "force-majeure" policy be terminated. The termination became official in November, and in March the chancellor confirmed that the SUNO policy on financial exigency, which had been temporarily superseded, is again the Southern University System policy.

The executive committee of the AAUP's Louisiana Conference, including in its membership a representative of the SUNO faculty, has voted without dissent to support removal of the censure.

Committee A recommends to the Ninety-fourth Annual Meeting that Southern University at New Orleans be removed from the Association's list of censured administrations.