April 26, 2018

Unilateral Governance Changes at Maricopa

The AAUP today wrote to the governing board of the Maricopa Community College District in Arizona to convey our concern over apparent departures from generally accepted principles of academic governance. The matter stems from a February resolution of the governing board that terminated a “meet-and-confer” provision of the faculty policy manual and ordered the creation of a new manual that would severely limit the participation of the faculty in institutional governance. The “meet-and-confer” process is specified in the current faculty policy manual as a process of deliberation “for the purpose of articulating agreement regarding change with respect to responsibilities, wages, governance, benefits, and all other terms and conditions of Residential Faculty employment.”

Significant changes to the structure and procedures for faculty participation in institutional governance should not be made unilaterally. As the Statement on Government of Colleges and Universities, jointly formulated by the AAUP with the American Council on Education and the Association of Governing Boards of Colleges and Universities, observes, “The structure and procedures for faculty participation should be designed, approved, and established by joint action of the components of the institution.” The governing board’s action to terminate the “meet-and-confer” provision effectively eliminated the role of its representative faculty body in the process of making changes to the policy manual and thus has unilaterally modified the structure and procedure for faculty participation in institutional governance.

Of particular concern is the governing board’s directive that the new manual, to be prepared unilaterally by the administration, may not allow faculty to participate in matters related to “compensation, benefits, accountability, and organizational operations.” Not only would such a change modify the structure and procedure for faculty participation, the resulting changes would themselves be at odds with principles of academic governance, which call for meaningful faculty participation in decisions that affect all of these areas.

The AAUP’s letter further expresses concern that, following the adoption of the governing board’s resolution, Provost Karla Fisher wrote to college presidents to inform them that “Senate Presidents and Representatives must be dutiful in avoiding any [Faculty Executive Council] or Faculty Association-related work or conversations during business hours.” As the AAUP’s statement On the Relationship of Faculty Governance to Academic Freedom observes, “The academic freedom of faculty members includes the freedom to express their views ... on matters having to do with their institution and its policies.” The provost’s directive thus appears to interfere with the academic freedom of the identified faculty members.
The letter concludes by urging the governing board to rescind its resolution and restore the “meet-and-confer” provision. It further urges the administration to rescind its proscription against certain “conversations during business hours.”

Read the full letter here.