

HOWARD UNIVERSITY

OFFICE OF THE FACULTY SENATE

TO: **Stacey Mobley, Esq.**
Chairman, Howard University Board of Trustees

FROM: **Sonya K. Sobrian, Ph.D.**
Chair, Faculty Senate

RE: **Concerns Regarding Revisions made by the Board of Trustees to the January 31st, 2019 [with March 7th, 2019 Faculty Changes] Proposed Draft HU Faculty Handbook**

DATE: **June 17th, 2019**

Thank you for your letter of June 7th, 2019 advising me of Board of Trustees' adoption and implementation of the above referenced document, which includes changes made by the Academic Excellence Committee and Legal and Audit Committee of the Board. Prior to the Board's vote on the new Handbook, I wrote to you on June 7th, identifying 17 individual issues reflecting changes made by the Board with which the Council of the Faculty Senate had concerns. I also requested to meet with you and members of the Board, to discuss the items before the Board's vote on the new Handbook. Members of the Council once again today voted to requested a meeting with the Board to discuss these additional issues:

1. The Handbook adopted by the Board of Trustees contains errors, e.g., conflicting provisions concerning eligibility for the faculty grievance process.
2. Despite the contractual force of the 1993 Faculty Handbook, the new Handbook diminishes rights of faculty without providing notice to faculty that such rights were in jeopardy, or opportunity to comment as required by the new Handbook amendment process. For example:
 - the circumstances for which a faculty member may be immediately suspended prior to due process have be expanded;
 - the right to have counsel/advisor present argument during grievance proceedings has been removed;
 - monitoring by the Faculty Senate of University efforts to find suitable positions for faculty displaced by financial exigency has been eliminated;
 - although the Board's Handbook states [as did 1993 Faculty Handbook] that "a faculty member whose appointment is terminated for reasons of financial exigency has the right to appeal to the Faculty Grievance Commission [FGC]," appeal of termination due



to financial exigency has been removed from the list of grievable matters and the entire related grievance procedure has been deleted.

3. The Office of the Provost assembled a Working Group that developed a Consensus Document of August 31st, 2018. This process involved hundreds of hours of work which included review and negotiation with General Counsel, the Administration and the Faculty. This document represented an effort in shared governance and trust. The changes that the Board imposed on the new Handbook diverges from the Consensus Document in several ways, including but not limited to:
 - tenure residing in the school or department rather than in the University;
 - a faculty member may be terminated prior to the resolution of the appeal process if the process is not resolved in one year;
 - language limiting the declaration of financial exigency to situations where there is no less drastic alternative has been eliminated; and
 - the right to grieve actions by administrators extraneous to the disciplinary process that negatively affect professional standing or reputation has been eliminated.

Members of the Council again request a meeting with representatives of the Academic Excellence Committee, the Legal and Audit Committee, and the Executive Committee of the Board of Trustees to be scheduled between July 8th and July 15th, 2019. It is important that Provost Wutoh, as the Presenter of the Draft Revised Faculty Handbook, also be present.

The urgency of this communication reflects the need to resolve these outstanding matters before the beginning of the Fall semester. I look forward to your response.

cc: Benaree P. Wiley, Vice Chair, Howard University Board of Trustees
Mark A. Mason, Vice Chair, Howard University Board of Trustees
Florence W. Prioleau, Esq., General Counsel and Secretary
Wayne A. I. Frederick, MD, MBA, President, Howard University
Anthony K. Wutoh, Ph.D., R.Ph., Provost and Chief Academic Officer
Council of the Faculty Senate