

HOWARD UNIVERSITY

OFFICE OF THE FACULTY SENATE

February 27, 2020

Dear Dr. Wutoh,

Thank you for your timely response.

However, you have not addressed the concerns that the Faculty Senate Council raised in its formal complaint of February 14, 2020.

To reiterate, our key points are as follows:

- As is clearly indicated in the 2019 *Faculty Handbook*, “**two members will be selected by the Faculty Senate.**” Your statement that “one Faculty Senate nomination for each committee would be appropriate to serve without disturbing each committee’s diversity and balance” presumes that you have the authority to make such a decision. You do not. **In fact, by making a unilateral decision to arbitrarily reject one of the Faculty Senate’s selections, you have disturbed the balance that is mandated by Section A4.2 of the 2019 Faculty Handbook.**
- Your argument regarding time constraints and concerns is misleading. As the Faculty Senate Council pointed out in its formal complaint, **you selected an additional faculty member to serve on the School of Business Decanal Search Advisory Committee *after* you had rejected one of the Faculty Senate’s selections.**
- As we clearly described in the earlier complaint, both of the selections of the Faculty Senate ***significantly enhanced* the diversity and balance of the decanal search committees in terms of race, ethnicity, national origin, and rank.**

We have another significant concern on which we wish to elaborate.

In both of your September 25, 2019 emails to Dr. Alfred you wrote:

“President Frederick has *approved* the recommendation of...to serve on the Decanal Search Committee...” (italics added for emphasis)

On February 20, 2020, in your response to the complaint by the Faculty Senate Council, you stated:

“As an aside, I note that Section A4.2 of the Handbook charges the Provost with the formation of decanal search committees and does not prohibit my ability to confer with others in undertaking that task.”



Based on your statements above, it is clear that you not merely “conferred” with the President, but also allowed him to “approve” Faculty Senate selections to the decanal search committees. While you may be free to confer with others when selecting members of decanal search committees, you do not have the authority to allow the Faculty Senate’s selections to be subjected to “approval” by the President.

President Frederick is a member of the Board of Trustees and, therefore, is prohibited from interfering in the day-to-day academic operations of Howard University. See Middle States Standard VII – Governance, Leadership, and Administration, which states, in pertinent part:

Criteria

An accredited institution possesses and demonstrates the following attributes or activities:

1. a clearly articulated and transparent governance structure that outlines roles, responsibilities, and accountability for decision making by each constituency, including governing body, administration, faculty, staff and students;
2. a legally constituted governing body that:
 - c. **ensures that neither the governing body nor its individual members interferes in the day-to-day operations of the institution; (boldface added for emphasis)**

The *2019 Faculty Handbook* clearly articulates the process for selecting members of decanal search committees. As described in Section A4.2: “...the Provost shall name the chair of the search committee and appoint or arrange for the election of a search committee.”

The role of the President is also clearly defined in the Section: “...The Provost’s recommendation, together with that of the...search committee, shall be forwarded to the President for final decision.” The President has no role in the selection of members of a decanal search committee. His role is limited to making a final selection at the end of the process.

There is a fundamental rationale for the process as it is designed: the President cannot have both the right to select the dean *as well* as the right to determine the composition of the committee that will recommend individuals to him for selection. The *2019 Faculty Handbook* clearly reinforces this fundamental concept of separation of power in governance structure in that it intentionally omits the President’s involvement in the selection of the members of the decanal search committee.

Accordingly, your action in submitting the Faculty Senate's selections to the President for approval violates the *2019 Faculty Handbook* and also Standard VII of the Middle States Commission on Higher Education *Standards for Accreditation and Requirements of Affiliation*.

We have yet another serious concern. In your February 20, 2020 response to the complaint from the Faculty Senate Council, you stated:

“...I am confident that we can do so (address concerns) effectively without unnecessarily involving the chairperson of our Middle States Visitation Team. Unfortunately, this is the second complaint that the Faculty Senate has communicated to the chairperson during this critical time...”

To suggest or imply that faculty have anything but the best interests of the University at heart when we raise pertinent issues and concerns is uncalled for and disrespectful.

The Faculty Senate is well aware of the critical importance of maintaining accreditation by the Middle States Commission on Higher Education. To obtain and maintain Middle States Accreditation, institutions must meet rigorous and comprehensive standards and engage in an ongoing process of self-review and improvement. Accreditation is an expression of confidence in an institution's mission and goals, its performance, and its resources.

Middle States provides opportunities for students, faculty, staff, and members of the public to submit information regarding the qualifications for accreditation of its member institutions. The Middle States Commission's interest is in ensuring that member institutions maintain standards of procedural fairness and appropriate grievance processes. Comment and complaint processes are created by Middle States to address non-compliance with the Commission's standards and/or the institution's own policies and procedures. The Faculty Senate's feedback is designed to further the continuous improvement process that is made possible by in-depth examination and reflection.

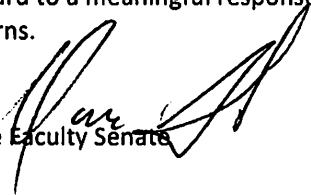
The Faculty Senate Council, acting in good faith and in an effort to collaborate with the administration on faculty governance, has requested genuine dialogue and discussion on these and other matters. Unfortunately, you have ignored these requests. The Faculty Senate Council, therefore, is reiterating its earlier requests:

- **A commitment from the administration to follow the processes prescribed in the 2019 *Faculty Handbook*, including those for decanal searches;**
- **A genuine discussion with the administration and the Board of Trustees, conducted through a mediation process, with the objective of identifying means through which to increase collaboration between the administration and the faculty for the shared governance of the University.**

We look forward to a meaningful response from you, President Frederick, and Mr. Mobley on our serious concerns.

Sincerely,

Officers of the Faculty Senate



CC: Dr. Wayne A.I. Frederick, President, Howard University
Stacy J. Mobley, Esq., Chairperson Howard University Board of Trustees
The Honorable Shirley Jackson, Ph.D., Chairperson of the Middle States Visitation Team
Florence W. Prioleau, Esq., Secretary, Howard University Board of Trustees
Members, Board of Trustees
Deans, Schools and College, and Howard University Faculty