

**Subject:** Re: Response to Informal Grievances Notification 30 Aug 2019

**From:** Jeremiah Duncan <jsduncan@plymouth.edu>

**Date:** 9/12/19, 5:11 PM

**To:** Robin Dorff <rdorff@plymouth.edu>

**CC:** Jonathan Santore <jsantore@plymouth.edu>, Linda Carrier <lcarrier@plymouth.edu>, Caryn Ines <clines1@plymouth.edu>, Ann McClellan <akmcclellan@plymouth.edu>, Donald Birx <dlbirx@plymouth.edu>, Gail Mears <gmears@plymouth.edu>

Dear Robin,

For the purpose of responding to your suggested resolution of these informal grievances, I feel it is necessary to separate the two. In this email, I will address specifically the issues brought up in our letter of Aug 30, 2019, subject "Informal Grievance from PSU-AAUP - Summer 2019 maximum course cap change." For the record, I note below the specific requests of our grievance:

1. Reassurances from you that you will not unilaterally change course caps wholesale without consultation in the future, and
2. The establishment of a formal process for communicating faculty recommendations to you about maximum course sizes prior to any future broad-based changes in maximum course caps.

From both your public statement on Wednesday, Sept 4 and your email of Sept 11, I feel satisfied that the administration has meet #1 and is making a good faith promise to move forward with meeting #2. Specifically, from your email, these are addressed in your points 1 & 2:

- 1) We will not unilaterally make wholesale changes to course caps without appropriate consultation. At the same time, and as acknowledged by the CBA, the Provost reserves the right to make the final determination of maximum class size.
- 2) We will work closely with Faculty Governance to establish a formal process for communicating faculty recommendations about maximum course sizes prior to any future broad-based changes in maximum course caps.

In as much as the formal process noted in #2 has not yet been established, I do not think we can officially consider this grievance resolved, but I do trust that we are moving in that direction. I firmly agree that this process ought to be developed between your office and Faculty Governance. If there is anything the PSU-AAUP can do to facilitate this, please let me know. Otherwise, I request only that we be kept updated as work progresses.

Best regards,

--Jeremiah Duncan

President, Plymouth State University Chapter of the American Association of University Professors (PSU-AAUP)

On 9/11/19 9:51 AM, Robin Dorff wrote:

Dear Jeremiah:

I am writing in response to the two informal grievance notifications we received from you on August 30, 2019 via email. The first addressed the "Summer 2019 Maximum Course Cap Change" and the second the "Academic Policy Changes." By way of this written response, I would also like to

incorporate the public statement disseminated to all PSU faculty on Wednesday, September 4, 2019 and which read:

“PSU-AAUP leadership and the PSU Academic Affairs Committee Chair have made us aware that the process by which we instituted certain changes in academic and administrative policy this summer may have violated certain articles within the PSU-AAUP CBA in relation to Faculty Governance and process. Over the past two weeks, we have met with the Faculty Speaker, the chair of Academic Affairs, and the union leadership to work on resolving these conflicts.

We acknowledge and apologize for any violations that might have occurred and want everyone to know we are working closely with Faculty Governance and the PSU-AAUP both to clarify and rectify any such violations, and to avoid similar violations of policy and process or the CBA in the future. We also wish to restate our deep respect for and appreciation of the value and importance of shared governance. We do not want to erode any of the trust that is so central to making shared governance work effectively, and pledge to do all we can to help restore it. We plan to work with faculty to establish clear processes on reviewing and discussing any academic policy changes, particularly when faculty are off contract May-August.

In regard to the specific PSU-AAUP informal grievance concerning raising course caps as part of first-year and transfer student enrollment in June of this year, we wish to reassure all faculty that in the future we will not unilaterally make wholesale changes to course caps without appropriate consultation. At the same time, and as acknowledged by the CBA, the Provost reserves the right to make the final determination of maximum class size. We will work closely with the PSU-AAUP and Faculty Governance to establish a formal process for communicating faculty recommendations about maximum course sizes prior to any future broad-based changes in maximum course caps.

Per our faculty governance procedures, we will continue to meet with union leadership and the appropriate principal policy-making committees as soon as possible to answer any additional questions and to further understand and rectify any conflicts.”

There are many specific details and nuances to both of the grievance items, and I don’t know that it would be productive to go through all of them in writing or even to discuss them in detail. From our point of view we do not think all of the specific issues raised are directly related to academic policies but instead to administrative policies. I believe the goals we share—avoiding any similar confusion, mistakes, and potential violations in the future—would be the better driving points behind our discussions. Therefore, may I suggest the following as our specific response at this time?

- 1) We will not unilaterally make wholesale changes to course caps without appropriate consultation. At the same time, and as acknowledged by the CBA, the Provost reserves the right to make the final determination of maximum class size.
- 2) We will work closely with Faculty Governance to establish a formal process for communicating faculty recommendations about maximum course sizes prior to any future broad-based changes in maximum course caps.
- 3) We will seek to clarify in discussions if there are some clear distinctions between academic policy over which the faculty certainly has a clear right to consultation and administrative policies that really need to involve faculty consultation in order to improve decision outcomes. Further, whether there are administrative decisions that are not only outside the purview of faculty but with which they really would not want to be involved. All of this discussion would focus on improving overall communication, consultation, and collaboration. I do not think this should be as much about who must as who should and needs to be consulted.
- 4) For example, the elimination of the “first day drop” was one of several that derived from changes in financial aid compliance policies nationally. We should have done a better job communicating the reasons behind it, but it was not discretionary on our part as students who were dropped from classes might automatically be in violation of their financial aid requirements and not know it, and might not know they were dropped. We can go through each of the 13 policies referenced in the message Jeremiah shared with

faculty on September 6<sup>th</sup> and provide similar explanations and clarifications. Based on those discussions, we can decide how we proceed.

- 5) We also need to discuss how we can develop and establish clear processes for reviewing and discussing any academic policy changes, particularly when faculty are off contract May-August. Decision timeframes on some matters are frequently quite short, and that is compounded during this period. Who should/needs to be consulted and how is that done most effectively during the summer months?
- 6) We are already scheduled to bring the entire list of 13 policies to the Academic Affairs Steering Committee and, as needed, to the entire Committee, for discussion as needed. We would be happy to do the same for the PSU-AAUP leadership.

In the end, and as we stated, we have “deep respect for and appreciation of the value and importance of shared governance.” However, to be clear, I also think most of us agree that shared governance is not faculty governance, nor does it always require formal faculty votes of approval for final decisions and implementation. However, we must also avoid surprises and that requires more and more effective communication.

Please let me know if this acknowledgement and response is sufficient for the purpose of proceeding with the informal grievance process. If it does, I suggest we coordinate calendars and schedule the next meeting to continue that process. We could also decide at that meeting whether our response to the course caps informal grievance is sufficient at this time to resolve it. If this is agreeable, please let me know who should attend from the PSU-AAUP and our office will coordinate. May I assume this would be you, Jonathan and Linda? I will also ask Caryn Ines, Director of Human Resources, and Associate Provost Ann McClellan to attend.

Thank you again and in advance for your prompt attention to our response.

Sincerely,

Robin Dorff

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