

AAUP

American Association of University Professors

Academic Freedom for a Free Society

June 13, 2011

VIA FACSIMILE (504) 865-3847


Rev. Kevin Wm. Wildes, S.J.
President
Loyola University New Orleans
~~6363 St. Charles Avenue~~
New Orleans, LA 70118-6143

Dear Father Wildes:

It is my pleasure to inform you that the Association's 2011 Annual Meeting, on June 11, voted to remove Loyola University New Orleans from our censure list. The Annual Meeting's action was based on the enclosed statement and recommendation from our committee A on Academic Freedom and Tenure.

Congratulations and All Good Wishes.

Sincerely,


Jordan E. Kurland
Associate General Secretary

~~Enclosure~~

cc: Dr. Edward J. Kvet, Provost
Professor Barbara C. Ewell, University Senate
Professor Connie Rodriguez, AAUP Chapter
Rev. Charles L. Currie, S.J., Association of Jesuit Colleges and Universities

LOYOLA UNIVERSITY NEW ORLEANS

Loyola University New Orleans escaped the severe flooding after Hurricane Katrina that the city's other universities experienced. When operations were resumed, the administration circulated a plan that it called "Pathways," stating that its purpose was to bring about more effective academic programs for the post-hurricane city. The plan included discontinuing several programs, not on grounds of financial exigency but primarily on the basis of educational considerations. Eliminating the programs was to be accompanied by terminating the appointments of eleven tenured professors and six probationary professors who previously had been notified of reappointment.

The stated policies at Loyola New Orleans for program discontinuance, and indeed for all matters relating to tenure and academic due process, comport fully with applicable AAUP-supported standards. Terminating an academic program requires evaluation of the proposed action by an elected faculty body under criteria formulated by the university senate. The administration proceeded with its Pathways plan without the participation of these bodies, both of which sharply faulted the substance of the plan as well as the process in moving it forward. Despite successive votes of "no confidence" in the administration by the senate and by the faculty of Loyola's largest college, the board of trustees officially adopted the plan in May 2006.

Notifications of termination, sent a month later to the seventeen professors, informed them that they would receive a year of severance salary but would have no further teaching or other responsibilities, that they were to vacate their offices within a fortnight, and that they could no longer appear on campus. New instructors needed to be engaged to teach courses that had already been assigned to some of the professors for the next term.

Eleven of the dismissed professors filed for a hearing under the institutional regulations, and proceedings in each case took place before the elected faculty hearing body in the fall and spring of the 2006-07 academic year. In all of the cases, the hearing body found unanimously that the administration failed to follow required procedures, failed to relocate the professor in an available suitable position, and, regarding the eight hearings involving tenured professors, failed to provide adequate severance salary. In all of the eight cases, the hearing body called for the professor's reinstatement.

adopted. The resolution supported censure removal conditioned on two additional steps: reaffirmation that the university's stated provisions regarding its faculty are contractually binding; and official adoption of newly formulated provisions regarding faculty governance. The president provided assurance of his approval in his oral remarks and in a confirming letter. In a report to the board of trustees dated May 1, he reaffirmed Loyola's position that the handbook provisions on faculty carry contractual force, and at its meeting on May 20 the board adopted the new provisions relating to faculty governance.

The AAUP Louisiana conference's executive committee has endorsed removal of the censure. As a final step in gauging current conditions for academic freedom, a former AAUP general counsel has gone to Loyola New Orleans and held successive meetings with the executive committee of the senate, with a committee of the AAUP chapter, and with the president and the provost. He has reported positively on each meeting, saying he encountered nothing at them that would argue against the censure's removal.

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