

AAUP

American Association of University Professors

Academic Freedom for a Free Society

VIA FACSIMILE (504-865-5202)

May 10, 2006

Dr. Scott S. Cowen
President
Tulane University
6823 St. Charles Avenue
New Orleans, Louisiana 70118

Ms. Catherine D. Pierson
Chair, Board of Administrators
Tulane University
6823 St. Charles Avenue
New Orleans, Louisiana 70118

Dear President Cowen and Chair Pierson:

Thank you for your letter of April 17, responding to mine of March 14, regarding the issues of AAUP concern at Tulane University.

This letter focuses on two areas of continuing concern, one of them addressed in your last letter, the other not addressed. The first relates to the degree to which the Tulane administration has adhered to our Association's recommended standards for dealing with financial exigency, particularly with regard to the hearing procedures afforded to faculty members who contest the actions to terminate their services. When President Cowen telephoned General Secretary Roger Bowen in the fall to discuss the university's response to Hurricane Katrina, he expressed interest in adhering to the AAUP's pertinent standards. Those standards, as we have emphasized in previous correspondence, call *inter alia* for affected faculty members to be afforded opportunity for an on-the-record adjudicative hearing before an elected faculty committee at which the burden rests with the administration to prove the existence and extent of financial exigency, the validity of the criteria for identification for termination, and the proper application of the criteria in the individual case. We have been informed by faculty members who have appealed to the Faculty Tenure, Freedom, and Responsibility Committee (FTFR) that the administration has expressly declined to provide them with opportunity for a full hearing nor to present and/or confront witnesses before the hearing committee. As Provost Lester Lefton has recently written to the FTFR, the faculty handbook "does not provide for any right to a hearing or presentation and/or cross-examination of witnesses." The FTFR, he added,

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"should conduct its review on written submissions by the parties." We urge Tulane's administration officers to reconsider the position conveyed by Provost Lefton and adhere to our recommended standards in this fundamental area.

Not addressed in your April 17 letter, nor in your letter of February 7, but raised in my letters of January 26 and March 14, are the concerns we have expressed about "complaints from faculty members in business, engineering, and the medical school that tenured professors were released while nontenured faculty colleagues were retained, that no explanation was given for designating particular individuals for retention and others for release, and that little or no effort was made to assign affected individuals to other suitable positions for which they were qualified, even where such positions, in some cases involving teaching courses required in the newly configured programs or departments, are available." Again, we solicit a response from you to these concerns.

Sincerely,



B. Robert Kreiser
Associate Secretary

BRK:id

cc: Dr. Lester A. Lefton, Senior Vice President for Academic Affairs and Provost
Dr. Paul K. Whelton, Senior Vice President for Health Sciences and Dean,
School of Medicine
Dr. Nicholas J. Altiero, Dean, School of Engineering
Dr. James W. McFarland, Dean, School of Business
Dr. James M. MacLaren, Acting Dean, Faculty of the Liberal Arts and Sciences
Professor Edward C. Strong, Chair, Senate Committee on Faculty Tenure, Freedom,
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