

APPENDIX III

Standards for Investigations in the Area of College and University Government

In 1991, the Association's Council adopted a proposal from the Committee on College and University Governance (Committee T) that makes it possible for an AAUP annual meeting to sanction an institution for "substantial non-compliance with standards of academic government." The following procedures, approved by Committee T in May 1994, set out the steps along the path that could lead from an expression of faculty concern at an institution to the imposition and removal of an Association sanction.

1. The general secretary¹ is authorized to receive, on behalf of Committee T, complaints of departures from the Association's recommended standards relating to academic governance at a particular college or university.
2. Such complaints should include a description of the situation and specific information on the past or contemplated use of local remedies. They should be accompanied by supporting documentation.
3. The general secretary shall, in each instance where attention by the Association seems justified, make a preliminary inquiry and, where appropriate, communicate with the administration of the institution to secure information and comments.
4. When feasible, the general secretary should attempt, by correspondence and discussion, to assist the parties to arrive at a resolution compatible with AAUP principles and standards.
5. If there is a substantial reason to believe that a serious departure from applicable Association-supported standards has occurred, and if a satisfactory resolution of the situation does not appear to be possible, the general secretary shall determine, upon the advice of the staff's committee on investigations and of others as appropriate, whether an ad hoc committee should be established to investigate and produce a written report on the situation.
6. In determining whether to proceed to investigation and report on situations related to college or university government, the Association looks to the condition of faculty status and of faculty-administration relations. The Association will investigate when it appears that corporate or individual functions of the faculty, as defined in the 1966 *Statement on Government of Colleges and Universities*, have been seriously threatened or impaired. In reaching a decision on whether or not to undertake an investigation, the general secretary will consider the magnitude of the problem for the faculty involved, for the institution as a whole, and for the Association in its capacity as an organization representing faculty interests in higher education.
7. The Association will ordinarily investigate only after local means for correction—formal as well as informal—have been pursued without satisfactory result. This precondition may not apply where local remedies are inadequate or where recourse to them would worsen the situation or expose individual faculty members to harm.
8. If a decision is made to establish an investigating committee, the general secretary shall appoint the members of the committee, designating one of them as chair. In selecting the members, the general secretary shall consider such relevant factors as their experience and expertise in governance matters.
9. The task of the investigating committee is to determine the relevant facts and the positions of the principal parties and to reach findings on whether the standards enunciated in the *Statement on Government* and in derivative Association documents have been violated, and whether unacceptable conditions of academic government prevail. The general secretary shall provide the investigating committee with an advisory briefing on the procedures it will

be expected to follow during a campus visit and on the facts, issues, and available documentary evidence relevant to the investigation. The general secretary shall also assist the committee so far as possible in making arrangements for its work and in providing it with clerical and editorial support.

10. The investigating committee's report, to be submitted in confidence to the general secretary, should include sufficient facts for the reader to understand the situation and judge the adequacy of the evidence in support of the committee's findings and conclusions. The committee should determine whether actions by the principal parties were reasonable under the circumstances and consistent with applicable Association-recommended procedural and substantive standards. The committee is welcome to offer advice to Committee T as to whether the Association should impose a sanction on the institution concerned; but it is Committee T's responsibility to determine whether a recommendation to impose a sanction should be presented to the annual meeting of the Association. Hence, any recommendation as to a sanction will not be published as part of the report.
11. As soon as possible after receiving the report of the investigating committee, the general secretary shall review it and communicate any suggestions for revision to the investigating committee. When the report has been satisfactorily revised, the general secretary shall send it to the members of Committee T for comment and a decision concerning its publication. As a condition of approving publication, or by way of suggestion to the authors of the report, the members of Committee T may propose changes in the draft text. After further revision, the text shall then be transmitted confidentially to the persons most significantly affected by or implicated in the report, including the chief administrative officers of the institution, with the request that they provide corrections of any errors of fact that may appear in it and make such comments as they may desire upon the findings and conclusions reached. If their responses indicate a need for significant changes in the report, the text with the resulting revisions may be resubmitted to Committee T. With that committee's concurrence, and after the investigating committee has been consulted as to final revisions, the report will be published in *Academe: Bulletin of the American Association of University Professors*. An advance copy of the published report shall be transmitted to the principal parties.
12. If Committee T judges, based on the published report and any subsequent developments, that the administration and/or governing board of the institution under investigation has seriously infringed standards of college and university government endorsed by the Association, it may recommend to the next annual meeting that the institution be sanctioned for "substantial non-compliance with standards of academic government." If the annual meeting concurs with the recommendation of Committee T, notice of "non-compliance" will be published regularly in *Academe*, for the purpose of informing Association members, the profession at large, and the public that unsatisfactory conditions of academic government exist at the institution in question.
13. After a notice of sanction has been published by the Association, the general secretary, acting on behalf of Committee T, will correspond periodically with the administration and appropriate faculty groups at the institution, seeking to ascertain whether stated policies and procedures have been brought into substantial conformity with standards of college and university government endorsed by the Association, and whether evidence exists of meaningful faculty participation in academic governance. So long as a particular college or university remains under sanction, Committee T will monitor and report on developments at the institution.
14. When evidence has been obtained that a sanctioned institution has achieved substantial compliance with Association-supported governance standards, Committee T will review the information and determine whether to recommend to the annual meeting of the Association that the sanction be removed. Notice of the recommendation and the action will be published in *Academe*.

Note

1. As used in this statement, the "general secretary" may be another member of the Association's professional staff to whom the general secretary has assigned the particular responsibility.