

Faculty Senate Response

2021 HLC Assurance Argument

Due to the limitations of faculty involvement in the process of developing the university's assurance argument, faculty are in disagreement with the representation of a number of essential components within the document. These disagreements largely focus around criteria and core components in criteria 1 (Mission), 2 (Integrity: Ethical and Responsible Conduct) and 5 (Institutional Effectiveness, Resources and Planning). They also focus on the lack of timely response and follow up to several of the items under interim monitoring by the HLC (4C, 5A, and 5C).

The key concerns from the Faculty Senate's perspective are:

- 1) Strategic planning (1a1, 1a2, 1a5, 5b2, 5c1, 5c3)
- 2) Support of students of color (1c2, 1c3, 5a1, 5a3)
- 3) Shared governance (2a1, 2a2, 2b2, 2c2, 2c3, 2c4, 2c5, 5a1, 5a2, 5a3, 5b)
- 4) Financial responsibility (1b1, 1b2, 5a1, 5a2, 5a3, 5b2, 5c1, 5c2, 5c3)

The Faculty Senate met on September 15th and voted to affirm the assurance argument sections for criteria 3 and 4, and charged the Faculty Senate Executive Board to draft this report to represent their concerns regarding the remainder of the assurance argument. The administration agreed to provide this report as an addendum to the assurance argument. We respectfully request that the HLC site visit team set aside time to meet with Faculty Senate leadership to discuss further the issues raised in this document.

Concerns Regarding Faculty Inclusion and Timeliness in the Development of the Assurance Argument

The HLC site team (December, 2017) granted re-accreditation and recommended the Standard Pathway for EMU (rather than the Open Pathway sought by the institution) “...to ensure that the institution takes seriously writing the interim reports but, more importantly the follow-up, including communication plan, that will allow for them to be successful.” (p.60) It is the Faculty Senate's perspective that the current interim report process was rushed and did not sufficiently include faculty in the process.

The assurance argument process did not begin with formal faculty participation until November, 2020 when the Faculty Senate was charged with appointing a faculty senate representative for each criteria and shared this information with the administration. By the end of January two of the faculty representatives had not received any communication from their respective criteria chairs. Once Faculty Senate participation was fully underway, there were limited opportunities

for faculty input in some of the groups. For example, the entire criteria 5 group met only twice, early in the process when that section of the assurance argument was still only an outline created from the HLC criteria. The criteria 5 assurance argument was not co-written as a group and questions raised about that section by the faculty representative were still not addressed as of September 1st.

The initial draft of the lengthy assurance argument was presented to the Faculty Senate April 14th, less than a week before the end of classes (April 20th) and the close of the academic year. It should be noted that faculty at EMU are on an eight-month contract that ends at the end of April. Faculty were invited to submit feedback via Google forms, and changes were made to the document based on this feedback, however, since the revisions of the documents occurred during the summer, participation was limited. The Faculty Senate called a special meeting the first week of the fall semester to review the document and to encourage faculty input by the September 15th deadline provided by the administration.

It is our belief that the assurance argument largely has delayed addressing a number of important issues raised by the Higher Learning Commission at our full review in 2017-18. Rather than convening a group right away to address some of the significant concerns that were raised in relation to strategic planning and university finances and beginning work toward resolving the issues, the university delayed addressing these concerns until well into the COVID pandemic. Due to this delay, this report is the result of a rushed process to meet the requirements, as opposed to a proactive process that could have included significant reflection and led to necessary improvement, which to us is the point of participating in an accreditation process. Faculty from across campus involved in program level accreditation indicated that this process has not been in alignment with the level of faculty engagement and proactive work that they have undertaken in accrediting/re-accrediting their department and school programs.

One significant exception was that the deficits noted in the 2017-18 accreditation visit within the purview of the Academic and Student Affairs Division (criterion 4C) were addressed in a timely manner, incorporated significant faculty involvement, and received formal faculty input. However, the larger underlying issues regarding the mission, vision and strategic plan were never addressed, as presidential level leadership was required to do so.

Insufficient Response to the Concerns Raised by the HLC's 2017 Site Visit Final Report

As the Faculty Senate reviewed the assurance argument, we focused on areas of concern detailed in the 2017 HLC site visit final report and added additional areas that have become more concerning since the last full site visit. The areas of focus from the final report include:

1. **Strategic Planning and Communication:** From the report on area 4: *“This appears to be a systemic issue related to strategic planning and communication. The strategic planning process needs to be integrated and dynamic. It is currently not dynamic nor is it*

monitored or communicated internally or externally.” (p. 44) “Second, the way EMU views and manages the strategic plan needs to be reviewed. The Institutional Strategic Planning Committee (ISPC) should be tasked to review the document and begin setting levels of measurement, with time lines, to track the progress of each goal and objective. Each of these directives must then be tied to the budgeting process.” (p.58) and from the conclusion, “Communication, written and oral, was noted as a weakness in several meetings.” (p. 60)

2. **Budgeting:** From the conclusion, *“The most critical issue is the immediate need to establish a realistic plan(t)his task will need input from the academic, fiscal, and student services stakeholders within the university.” (p. 61)*
3. **Organizational processes:** *“It is also imperative that the institution document progress to both internal and external constituents. Linking the strategic plan, academic excellence, other plans (like retention, persistence and completion) and the budget will allow the institution to make decisions long into the future. Monitoring the plan against benchmarks will help the institution know when they have reached sustained excellence so that they can focus on another goal.” (p. 61)*

These three areas of concern identified by the HLC accreditation report have manifested in some specific issues in the interim that need to be addressed at Eastern Michigan University.

Key Faculty Concerns

Strategic Planning - Criteria 1 & 5

(Concerns surrounding core components 1a1, 1a2, 1a5, 5b2, 5c1, 5c3, EMU core values of Excellence, Inclusiveness, and Responsibility)

We were troubled by the lack of timely follow up on the Higher Learning Commission’s concerns expressed in the 2017-2018 accreditation visit, including responsive action to update and integrate a revised strategic plan, transparency, and shared decision making in addressing financial concerns.

The lack of a current and clearly communicated strategic plan was directly tied to the [Higher Learning Commission’s interim monitoring of Eastern Michigan University on core components 4c, 5a, and 5c](#), and was the critical first step needed to resolve these concerns. The [published timeline indicates](#) that nearly four years have passed without a completed revision of the strategic plan.

The process of revising the strategic plan did not involve elected faculty input until February of 2019, and faculty leaders had to push to include additional faculty in the process. As we read through the timeline it was apparent that communication was a major issue with the process.

Although Senate leadership regularly requested updates on the process, there was not a formal update on the strategic plan revision until it was presented in February of this year. The final version was not presented to Faculty Senate until March, 2021. It was narrowly affirmed, with only 54% of Senate representatives voting in favor of it, and more than a third abstaining. When the President's office was notified about our concern regarding a lack of faculty buy-in to the final version, no response was received, other than the president noting that the goals had been finalized.

The slow development of a new strategic plan has secondary and tertiary effects on other aspects of the assurance argument. For example, it is difficult to align financial decisions with the strategic plan when there was no revised plan in place. The administration failed to manage the process to ensure timely completion of the project, and this failure has led to additional problems in addressing concerns expressed by the HLC regarding EMU's financial decisions.

Due to the concern about the management of the strategic planning process, the Faculty Senate is considering a no confidence resolution in the leadership of Chief of Staff Leigh Greden.

Support for Students of Color - Criteria 1 & 5 (Concerns surrounding criteria 1 & 5, core components 1c2, 1c3, 5a1, 5a3 and EMU values of Respect and Inclusiveness)

In Fall 2016, the EMU campus experienced a series of incidents involving racist graffiti on campus. Despite the President's [repeated call to support Black students](#), on [Nov. 1st a student protest by primarily Black EMU students precipitated an extended crisis](#), when the administration used DPS to evacuate peaceful protesters for being in the Student Center after hours. While [similar protests occurring on neighboring campuses](#) and across the country during this politically volatile period did not involve the deployment of law enforcement, let alone sanction student protesters, the EMU administration proceeded to prosecute 15 Black students involved in the protest, treating a civil protest as a conduct issue. This action was undertaken despite the ongoing [vehement public protests](#) of individual faculty, alumni and [community members](#), and public statements condemning their actions by four university departments, and [the AAUP](#), as well as repeated advocacy efforts by Faculty Senate. Students were still being charged with conduct violations weeks after the protest occurred in spite of the community backlash, in a process that extended into the Winter 2017 semester. When the administration finally agreed to drop the conduct charges, the damage to some individual students' academic progress, Black student confidence in EMU, not to mention the university's reputation, had been done.

In response, the [President's Commission on Diversity and Inclusion](#) was formed in January of 2017 to address concerns raised by students of color regarding the campus climate. The

commission made [recommendations](#) in November of 2017. Since that time, the only recommendation that has been achieved has been the addition of a Master’s degree in Africology and African American Studies. An initial campus climate assessment was undertaken two years later (Fall 2019), however a report on the results has yet to be formally disseminated as of Fall 2021, nor are we aware of any actions taken on the part of the President’s Office in response to the assessment data. After an inappropriate response to student protests on campus in 2016, the President’s Office has done little to meaningfully address concerns about diversity and equity at EMU, and we remain one of the few universities of our size, diversity and scope that has not hired a Chief Diversity Officer.

The lack of action on these important recommendations are not in alignment with EMU’s stated value of “Inclusiveness – We create an environment that supports, represents, embraces and engages members of diverse groups and identities.” Nor does it support “processes and activities (which) demonstrate inclusive and equitable treatment of diverse populations.”

Faculty response in the Academic and Student Affairs Division has moved forward despite the lack of initiative from the President’s Office, with significant support from the Provost’s Office, through college diversity committees and the Faculty Senate Task Force on Campus Climate, Race and Diversity Issues.

Shared Governance - Criteria 2 & 5

(Concerns surrounding core components 2a1, 2a2, 2b2, 2c2, 2c3, 2c4, 2c5, 5a1, 5a2, 5a3, 5b2, and EMU values of Excellence, Respect, Inclusiveness, and Integrity)

A lack of shared governance at EMU, particularly regarding areas of joint responsibility, is highly problematic and in need of attention. Evidence for the issues in shared governance can be found in the number of grievances that have been filed regarding violations of shared governance, as described in the EMU-AAUP contract, and the Faculty Senate By-laws ¹. Grievances have specifically focused on major decisions regarding the sale of the Owen building, outsourcing of campus billboards, and budget cuts made in response to the COVID pandemic. There are two additional grievances that were filed this summer related to shared governance based on differing perspectives on shared governance related to campus housing and lack of faculty input on where to move the College of Business, when the Owen building was

¹ [Memo to EMU-AAUP on Grievance Regarding Violation of Input on Areas of Joint Responsibility 06.05.20](#)

sold without seeking faculty input. These concerns are long-standing² and continual³. The administration has refused to sign off on the most recent revision of the [Faculty Senate's by-laws](#) because they include an affirmation of the joint [Statement on Government of Colleges and Universities](#). The statement has been part of the past Faculty Senate by-laws that were signed and agreed to by previous administrations since 2007.

One example of our concerns about fair and ethical action regarding shared governance was recently raised as the Board of Regents approved the renaming of the College of Engineering and Technology to the Game Above College of Engineering and Technology without any input from the faculty, students or alumni. The [Board of Regents policy on naming](#) did not spell out the need for faculty input on this decision, however the decision clearly impacts the academic reputation of the college, and should have been subject to faculty discussion and formal input. As the naming of the college was directly linked to a financial contribution, it was also a financial resource, and thus subject to faculty input per the EMU-AAUP collective bargaining agreement and the Senate by-laws. Although this decision stands, the board has committed to discuss the revision of this policy to incorporate faculty input. This is but one of many examples of the problematic lack of balance between the governing board, faculty and administration in decision making.

Due to concerns about a crisis in leadership at the presidential level, particularly regarding shared governance, strategic planning and diversity, equity & inclusion efforts, the Faculty Senate is currently considering a no confidence resolution in President James Smith.

Financial responsibility - Criteria 1, 2 & 5

(Concerns surrounding core components 1b1, 1b2, 5a1, 5a2, 5a3, 5b2, 5c1, 5c2, 5c3, and EMU values of Excellence, Respect, Inclusiveness, and Integrity)

There are serious concerns about the alignment of the budget process and the budget to the current mission, vision, and values of the University. We realize there are significant budgetary considerations embedded in the HLC site visit report from 2017 and we believe it is important for the university community to participate in those discussions and decision making. It is unclear how EMU's values are being included in making the budgetary decisions. We find untapped wisdom and guidance in the pronounced values that would lead to different budgetary processes and decisions.

² [Faculty Senate Statement of Concern 4.11.2018](#) which described the faculty's concerns regarding major financial and academic decisions without faculty input, including the Academic Partnership contract, staff layoffs, parking privatization, and funding the student athlete performance center

³ [Senate Response to Next Steps Regarding Student Housing Facilities, May 11, 2021 6.3.2021](#), which describes the concerns about President Smith's decision to move forward with a request for proposals for a full-scale privatization of campus housing in the midst of a pandemic. The critical questions raised in this document have not received a response

Some budget discussions have included the University Budget Committee and the Faculty Senate Budget Committee, but key decisions with substantial short and long-term fiscal implications, particularly the privatization of key revenue sources, have been made without any discussion in these forums or with any stakeholders outside of the administration and their hired outside consultants. It often seems, particularly with budget, that decisions are made first by administration and then spaces for “input theatre” are provided before the decisions are implemented, without thoughtful consideration or any changes resulting from the provided input.

There are also some problematic practices around budgeting that have been used to justify privatization of key revenue sources for the University. For example, page 6 of the “Financial Recovery Plan” describes revenue improving strategies starting with the RN-BSN program to show revenue growth from \$1.7M to \$4.7M in the program as a result of partnering with a private company, Academic Partners (AP). What is missing from the revenue discussion is the cost of that partnership; AP receives almost half of all tuition dollars (47%) for students they recruit to the program. Given that the contract with AP is a “service agreement” to recruit students, it is unclear whether this expense appears as part of the equation in determining the “profitability” of the School of Nursing. A similar issue is embedded within a second private agreement with Chartwells for campus dining described on page 8 of the “Financial Recovery Plan”. The dining revenues are paid to EMU as a pass through to the private vendor, but it is unclear how expenses are accounted for in the document. Both issues have been raised by faculty participants on the budget committees, but have not been adequately addressed.

What these analyses obscure is that an external partner may raise rates or charge other fees to raise revenues from students. These issues arose when EMU sold parking revenues in 2018 to a private equity firm for 35 years for \$55 million. While rates did not rise considerably, parking enforcement and the associated fines did. These agreements obfuscate traditional revenue/expense calculations and place the burden of “doing the right thing” on the University when something as monumental as the COVID pandemic occurs. When COVID began and the university shut down campus operations, EMU did the right thing by refunding students a prorated amount for housing and dining. The private dining partner did not pay for the refund; EMU did. The private equity firm was not willing to give students a similar refund for their parking. These private agreements muddy the actual financial picture of the University and are used to justify further privatizing campus services to which faculty have been strongly opposed, as they are antithetical to many of the values listed in our mission and strategic plan.

The Faculty Senate is extremely concerned that similar conflicts with even greater potential consequences to students will unfold if campus housing is privatized. Since the CFO notified the University Budget Committee in 2019 that he would seek a private partner for housing, the Senate has strongly opposed this move. The Faculty Senate, [through the Faculty Advisory Board on Campus Housing, has provided ideas and alternatives](#), however, the input and recommendations provided have not been incorporated into the housing decision process in general or the RFP process specifically. The request for proposals for the project was drafted in its entirety by an outside contractor, without input from the Academic and Student Affairs Division, which holds key information about student needs and should be involved in any major revision of the operation. The University Budget Committee opposed moving forward with the RFP, and the Faculty Senate also opposed moving forward with this project in the midst of a

global pandemic. However, the administration intends to choose a preferred partner to privatize all of campus housing the first week of October, 2021. The administration has indicated that they participated in shared governance by delaying the start of the RFP process, but has not actually undertaken any thoughtful consideration of the input from the faculty.

After selling parking operations for \$55 million to bolster reserves, which was explained as necessary to satisfy the financial requirements of the HLC, the administration borrowed over \$75 million in order to undertake a number of capital projects, including a \$20 million student athlete performance center. Input from faculty on these decisions was not sought, and the university is again in a difficult financial position as a result of undertaking these projects, rather than maintaining the infrastructure already in place.

The persistent pattern of emergency, quick process decision making that does not maintain the academic mission of EMU in the foreground needs to stop for the good of the entire University community. There has been a lack of transparency and integrity in many of the financial decisions in which the University has engaged since the last accreditation visit. As a result, the Faculty Senate is currently considering a no confidence resolution in the leadership of Chief Financial Officer Mike Valdes.

Next Steps

Developing buy-in and a common sense of investment in the strategic goals and mission of the university through a strong and inclusive process of drafting an assurance argument is something that would greatly strengthen this institution. The 2017-18 process failed to achieve this, as has the 20-21 process. Although COVID has been a great challenge to address, and has impacted the 20-21 process, the slow response to the feedback from the 2017-18 reaccreditation before the pandemic has no real explanation, other than that EMU has cut staff positions to such an extent that it is difficult to assign responsibilities for such a large scale project. We hope that EMU will immediately begin to form teams to work on the 2027-28 accreditation process so that there is more universal participation, faculty engagement and buy-in for this work.

We request that the faculty are heavily involved in the preparation for the re-accreditation visit, and that the following issues are considered as potential goals by the Higher Learning Commission:

- EMU transforms the strategic plan into a living document that guides the operation, and financial decisions, made by the University.
- EMU follows up on the work of the President's Commission on Diversity and Inclusion and fully implements their recommendations, or undertakes equivalent initiatives in the spirit of those recommendations.

- EMU embraces and reaffirms the Statement on the Government of Colleges and Universities, particularly in regard to areas of joint responsibility, as cited in the Faculty Senate By-laws.
- EMU acts in the public good and makes sound, transparent financial decisions, with full input from the faculty, which will ensure that our students are protected from the profit motives of private ventures and will support the continued viability of the educational mission of the institution.