

**MEMORANDUM**  
**Secretary of the General Faculty**  
**Fairfield University**

---

**TO:** Fairfield University Board of Trustees

**FROM:** Irene Mulvey, Secretary of the General Faculty

**DATE:** June 11, 2012

**RE:** Follow-up to our meeting on June 7

---

Thank you again for inviting me to organize elected faculty leadership to meet with the full Board of Trustees on June 7. In the sincere hope that it will be helpful in continuing to move us through our current situation to a resolution, I am sending along my thoughts following the meeting.

Before I begin with the thoughts from the group as understood by me, let me just say personally, how impressed I am with the Board's level of engagement on all of our issues. In my dealings with the Board (and I served on the search committees for both President von Arx, S.J. and Senior Vice President Paul Fitzgerald, S.J.), I have always come away with respect for the individual Board members I've worked with and their work, which strengthens my conviction that there is something special about Fairfield, and that the connections many people make with Fairfield are deep and powerful and lead to this impressive level of engagement. I hope that Board members understand that the same applies even more so to faculty. Of course, there is faculty engagement at most Universities, but often it's the same few people willing to do the service and governance work essential for the faculty to carry out their rightful role in the shared governance process. This is not at all the case at Fairfield. Here, faculty members are extremely enthusiastic about elected governance roles and would not consider teaching and scholarship without also engaging in meaningful ways in governance roles at the department, school and University level. Our elections for *Handbook* committee are always extremely competitive, and newer faculty have to be cautioned to not take on too much in the way of governance/service duties at first. In my experience at the American Association of University Professors (AAUP) and in talking to colleagues at other universities, this level of interest and engagement with University governance is absolutely not the norm. There is something special going on at Fairfield with regard to the faculty's dedication to our institution and, in particular, to its core academic mission. I ask the Board members to consider how unique the level of faculty engagement is at Fairfield and to understand our positions and our actions in that context.

In our brief meeting and supplemented by a great deal of supporting information in the packet, we attempted to respond directly to the matters raised in the invitation I received

from Mr. Huston. In particular, to reiterate, we presented (1) the faculty's position on the Memo of Understanding process, in general, and how this process played out this year and (2) the faculty's perspective on the commitment, on the part of the administration and the Board of Trustees, to the AAUP's 95<sup>th</sup> percentile. We appreciated your kind attention to our presentation as well as your thoughtful questions following our presentation and, of course, I will not repeat anything from the presentation or the Q&A here. Following our meeting, though, I had a few observations, which I think are important to convey.

**With regard to the comments from President Stephen Privett, S.J.**

There are two issues here: the issue of an "impasse" and the issue of what the documents say in the eventuality that we do reach an impasse. The faculty members in attendance last Thursday were not clear on whether or not President Privett, S.J., said he thought we *are* at an impasse or if he was wondering what happens in the event we *reach* an impasse.

In any event, I point out that the administration emailed new proposals to the Chair of the Faculty Salary Committee on May 30, 2012 at about 6:00 PM, in advance of our last General Faculty Meeting on May 31 at 3:30. Since Prof. Dennin only read (and forwarded) the email at 11:00 PM on 5/30, and since it contained complicated technical changes to the proposals on health care cost-shares than had previously been under discussion, the Faculty Salary Committee was, of course, unable to discuss as a group or present this material in any detail to the General Faculty on 5/31. (From my perspective as Secretary of the General Faculty, all the materials for the 5/31 meeting had been prepared and distributed well in advance of the 5/30 email from Vice President Dolan.)

At an emergency meeting of the Academic Council on Monday, June 4, the Council unanimously passed a motion suggesting that the Faculty Salary Committee respond to Vice President Dolan's latest proposals, after the Board of Trustees meeting on Thursday 6/7, with terms that the Faculty Salary Committee is confident that the General Faculty would accept.

I do not see this as an impasse unless the 5/30 proposals from Vice President Dolan are being withdrawn and, if that is the case, it would illustrate the point that members of the Faculty Salary Committee made quite strongly in our meeting on June 7 – that, all year long on any number of occasions, the administration would make a proposal or reach an agreement only to say in a subsequent meeting that the proposal was being withdrawn or that the agreement could no longer stand. It is my understanding that the Faculty Salary Committee is scheduling a meeting this week to decide how to move forward with the motion passed by the Academic Council.

With regard to "our reading" of the documents in the event we do reach an impasse, this would need to be answered in consultation with our attorney. It is my opinion that an imposition of terms by the Board would, in all likelihood, be an extremely unfortunate outcome for the entire University community. Our faculty leaders have deep professional relationships with our senior administrators and want nothing more than to reach agreement and continue to move through this conflict to a successful resolution.

**With regard to the statement read by Mr. Huston.**

I certainly understood Mr. Huston's clearly made point that President von Arx, S.J., has the full support of the Board of Trustees, and I expected no less. As you probably know, though, there are a variety of faculty opinions at this time, which resulted in the faculty voting to consider a discussion of a vote of no confidence in the President in September. In my opinion, the faculty is not united in their reasons for the unanimous vote. Personally, many faculty have great regard for President von Arx, S.J., and fully support him in efforts to continue moving us through this conflict to successful resolution. I have often been accused, and rightly so, of being a hopeless optimist, but in my opinion, a way forward to a successful resolution is possible.

In his remarks, Mr. Huston referred to the commitment to the 95<sup>th</sup> percentile as a "commitment made in 1994" or "a commitment made 18 years ago". I understand that his comments may have been prepared before the meeting, and so may not have been his final understanding of the matter but, quite frankly, this characterization simply belies the facts. Although the commitment may have been originally agreed to in 1994, this commitment was re-affirmed in the strongest possible terms in 2010 and in 2011. It was held up as an ongoing contractual commitment in 2009 and is almost certainly the only reason that faculty agreed to remove benefit protections from the *Handbook* and agree to begin paying a portion of health care premiums. To describe it as an 18-year old commitment, as if it's been sitting in a box gathering dust all these years is, quite simply, counterfactual.

Let me thank you, once again, for the invitation to meet with you and to organize my elected faculty colleagues to meet with you. I found the meeting to be informative and productive. If I can provide any other information or assistance in this matter, I hope you will contact me.