



February 1, 2021

The Kansas Board of Regents recently ratified a “Temporary Policy Re Covid Related Reduction in Force” measure, which asserts the authority to grant the Chief Executive Officer of each Regents University the power to unilaterally suspend, dismiss, or terminate any university employee, including tenured faculty. This new policy attempts to override existing policies of financial exigency, which were deliberately developed by administrators, faculty, and staff to deal with economic hardships, and which have been part of the contractual agreement among Fort Hays State University Bargaining Unit (FHSU-AAUP), University Administration, Kansas Department of Administration, and KBOR. It is gratifying to know that our University President has declined implement the temporary policy at this time. The entire policy should be rescinded, because in addition to damaging the integrity of the university system in Kansas by destroying tenure, violating shared governance principles, and eroding academic freedom, it violates the signed contract between KBOR and FHSU-AAUP.

Articles in the Memorandum of Agreement (MOA) signed on 9/18/19 and valid through 6/30/22 clearly outline procedures related to Tenure (Article IX), Reappointment (Articles XII and XIII), Grievance Procedures (Article XXIII), Reduction in Force (Article XXIV), and Furloughs and Pay Reduction (Article XXVII). The newly adopted policy clearly violates these articles by circumventing policies about Financial Exigency, Shared Governance, Due Process, Tenure, and Academic Freedom. Implementation of this new policy would be in direct violation of the long-standing, legal contract between KBOR and FHSU-AAUP.

The KBOR, a party to this contract, surely understands that it already has a contract with FHSU-AAUP as to the proper ways and means of approaching financial difficulties. It greatly saddens us that KBOR has not recognized its agreement with us as an explicit exception to its ill-conceived temporary policy.

Signed

Fort Hays State University Chapter of American Association of University Professors Executive Leadership

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