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# College and University Governance: Spartanburg Community College (South Carolina)<sup>1</sup>

(DECEMBER 2023)

## I. Introduction

On April 10, 2023, Dr. Lisa Satterfield, chief academic officer and vice president of academic affairs at Spartanburg Community College, sent the institution's faculty the following message: "Effective immediately, we are moving in a different direction in relation to Academic Governance." That "different direction" involved the immediate dissolution of its faculty senate, a body that had been formed nine years earlier through the joint efforts of the faculty and the administration.

This report began as an investigation into this unilateral action. However, it quickly became clear to the undersigned investigating committee that dissolving the faculty senate represented only the most public and dramatic event at an institution where the administration has rapidly undermined shared governance. The administration "doesn't care what we have to say," a faculty member in health sciences told this committee. Another faculty member, from arts and sciences, was equally blunt: "We've lost our faculty voice."

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1. The text of this report was written in the first instance by the investigating committee. In accordance with Association practice, the text was then edited by the Association's staff and, as revised, was submitted to the Committee on College and University Governance. With the approval of that committee, it was subsequently submitted to the principal parties involved in the case for their comments and corrections of fact. This final report was prepared for publication in the light of the responses received and with the editorial assistance of the staff.

## II. The Institution

Spartanburg Community College, founded in 1963 as the Spartanburg County Technical Education Center, is a two-year institution with five campuses across three counties in upstate South Carolina, with its main campus situated in its namesake city. It is one of sixteen institutions in the South Carolina Technical College System (SCTCS). In fall 2021, SCC had 125 full-time and 204 part-time faculty members, who taught in seventy programs of study across four divisions: arts and sciences, business and computer technologies, health and human services, and industrial and engineering technologies. That semester, SCC enrolled 6,097 students, 43 percent of whom were full-time. SCC's governing board is the Spartanburg County Commission for Technical and Community Education, a thirteen-member body appointed by the governor, and the college is accredited by the Southern Association of Colleges and Schools Commission on Colleges. SCC does not grant appointments with indefinite tenure.

SCC's seventh and current president is Dr. Michael Mikota, who assumed that position in July 2020 following a three-year stint as president of another SCTCS institution, Central Carolina Technical College, which was his first professional appointment in higher education. President Mikota earned an MBA from Gardner-Webb University and a PhD in policy studies from Clemson University. Prior to assuming the presidency at CCTC, Dr. Mikota had held several positions at Wachovia Bank and had been a policy analyst in the US Government Accountability Office. Dr. Satterfield joined the SCC administration on February 1, 2023. She earned a PhD in higher education administration

at the University of Tennessee, Knoxville, and came to SCC from the multicampus South College, a for-profit institution, where she began as an instructor of radiography and rose through the administrative ranks, culminating in her service as vice president of academic affairs and then president at the college's Asheville, North Carolina, campus. The president of the SCC faculty senate at the time of its dissolution was history professor Bruce L. Dillenbeck. The chair of the academic council—the body that replaced the senate—is Ms. Tiffany Henson, an instructor in the nursing program. While no AAUP chapter existed at SCC at the time of the senate's dissolution, a new one was chartered in June 2023, with Professor Dillenbeck as president.

### **III. The Events under Investigation**

In late March 2023, the SCC administration, citing a 2014 faculty workload policy, authorized academic deans to require full-time faculty members in their divisions to be present on campus for 37.5 specified hours per week. On March 31, Mr. Mark Smith, dean of the division of computer and engineering technologies, sent an email to the department chairs in his division specifying that the policy required full-time faculty members with daytime teaching loads to be present on campus from 8 a.m. to 5 p.m. Mondays through Thursdays and from 8 a.m. to 1:30 p.m. on Fridays.

As campus discussion of the controversial policy intensified, Professor Dillenbeck, in his capacity as faculty senate president, attempted to send an email message over a faculty mailing list convening an emergency senate meeting on April 10 and encouraging all faculty members to attend. In that message, he argued that the senate should vote to convey its “non-concurrence” with the on-campus work policy. However, he also cautioned that such a vote would place the faculty “in an adversarial position” with the administration, an outcome that was “not to be taken lightly.” Professor Dillenbeck's email message was never delivered to the faculty; the administration blocked it from circulation. An administration spokesperson later stated the administration had blocked the message because of “its potential to further create a hostile work environment and give rise to the potential of the college being unable to fulfill its mission.”<sup>2</sup>

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2. Christian Boschult, “Amid Enrollment Growth, Rift Forms between Spartanburg Community College and Its Faculty,” *Post and Courier*, August 2, 2023, [https://www.postandcourier.com/news/amid-enrollment-growth-rift-forms-between-spartanburg-community-college-and-its-faculty/article\\_53adb4ae-0fab-11ee-82ea-ef6e389b6aa8.html](https://www.postandcourier.com/news/amid-enrollment-growth-rift-forms-between-spartanburg-community-college-and-its-faculty/article_53adb4ae-0fab-11ee-82ea-ef6e389b6aa8.html).

On April 4, Professor Dillenbeck sent an email message to President Mikota, Vice President Satterfield, and the college's academic deans, stating that “blocking [his] email” would not prevent the emergency meeting from taking place. He urged them to rescind the newly promulgated on-campus work requirement before the senate met.

On April 10, a few hours before the scheduled emergency senate meeting, Dr. Satterfield sent the above-mentioned email message to the faculty announcing her decision to dissolve the faculty senate, effective immediately, and replace it with a faculty body of the administration's devising: an “academic council” with a narrower charge. Her message suggested two rationales for this action. First, she stated that “several” faculty members had told her they were “uncomfortable” with the prospect that the senate might “put the faculty in an adversarial position to its administration” if it approved a vote of nonconcurrency with the on-campus work policy. Second, she asserted that “there is no shared governance in relation to the operations of colleges” in the South Carolina Technical College System. The faculty, she wrote, are afforded a role only in “academic governance,” where it holds “primary responsibility for the content, quality, and effectiveness of the curriculum.” “Operational governance”—that is, institutional decision-making in all other matters—rests exclusively with the president and governing board, she declared.

Dr. Satterfield's email notwithstanding, approximately sixty to seventy concerned faculty members gathered at the time and place at which the emergency senate meeting had been scheduled. By a show of hands, nearly all in attendance agreed to challenge the administrative edict dissolving the senate. This vote eventually led senate president Dillenbeck to seek the AAUP's advice and assistance. On April 12, nine of fourteen faculty senators voted to challenge the dissolution of the senate by having the senate president file a complaint against Dr. Satterfield with the human resources department.<sup>3</sup>

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3. On August 8, four months after Professor Dillenbeck filed his complaint, an assistant in the human resources department informed him that his complaint had been closed because it was “not in alignment” with institutional grievance policies. When he asked her to explain what that meant, her reply confirmed that the SCC administration understands itself to have the authority to make changes by fiat to any institutional policy:

In accordance with Procedure I-60.4, which states that the College's policies and procedures may be deleted or revised at any time, an announcement was made via email from Dr. Lisa Satterfield on April

Meanwhile, the administration's efforts to constitute the academic council proceeded apace. SCC deans were charged with developing lists of nominees. The timetable for this process was, in many cases, remarkably short. For example, Ms. Benita Yowe, dean of the division of health and human services, wrote to faculty members in that division at 5:20 p.m. on April 20. She said that she would be "taking nominees for the academic council" and needed names by 9:00 a.m. the following day. On April 24, Dr. Satterfield distributed an electronic ballot to faculty members. Voting closed on April 28, and the results were announced the following week.

#### **IV. The Association's Involvement**

On April 26, 2023, after having been contacted by officers of the South Carolina AAUP conference and then by several SCC faculty members, the AAUP's staff wrote to President Mikota to convey its concerns about the administration's reported actions. The letter set out the shared governance standards relevant to the administration's action (discussed below in section V) and explained that "the unilateral suspension of a duly constituted faculty senate by an institution's governing board or administration is a prima facie violation" of those standards, one that could prompt the authorization of an AAUP governance investigation. The staff urged the administration to resolve the situation by immediately reinstating the faculty senate.

On May 3, the administration responded through its attorney, Mr. Scott F. Talley, who is also the state senator representing the district in which the college is located. In a brief letter, Mr. Talley stated that the administration did not believe its actions had contravened any principle of shared governance. He suggested that "the words/actions of one faculty member have led to [the AAUP's] letter"—evidently a reference to Professor Dillenbeck, who had been

copied in the staff's letter in his capacity as president of the newly abolished senate. Mr. Talley further stated that the administration was "gathering information" in preparing "a more formal response" to the staff's concerns. In the meantime, the executive council of the South Carolina AAUP conference wrote President Mikota on May 11 to communicate its own concerns about the case, characterizing the dissolution of the senate as "an attack on the mechanisms of shared governance at SCC."

On May 15, the staff received a lengthier response from Mr. Talley. He began by asserting that the administration's action was not "a unilateral decision made without 'meaningful' faculty involvement." Rather, he said, "Faculty came to the administration to voice their own opinion which differed from the Faculty Senate; and, the Faculty Senate was obviously divided amongst themselves, therefore not representing the faculty as a whole." He further asserted that the faculty senate had "created a hostile work environment" and "divided the faculty against each other." As evidence, he cited Professor Dillenbeck's allegedly "inflammatory and unprofessional" email messages described above, faculty complaints the administration had received, and disagreements among senate members concerning the on-campus work policy. In addition, he claimed that Vice President Satterfield was "made aware" of discussions of potential senate actions that were of "grave concern" to her because they threatened the "safety and wellbeing" of the campus community, allegedly including a "faculty walk-out," "a boycott of graduation," "protests," and "withholding of student grades." Her concern had led her to contact the human resources department at the systemwide board for technical and comprehensive education. That entity had advised her, Mr. Talley wrote, that "actions taken (i.e., offering an alternative method of faculty involvement in lieu of the Faculty Senate) to ensure the safety and well-being of the students, faculty, and staff of Spartanburg Community College [were] not in violation of the policies and procedures of the South Carolina State Board for Technical and Comprehensive Education and Spartanburg Community College."

The staff replied on June 7, reiterating that the Association viewed an administrative action to abolish a faculty senate as an "egregious departure" from widely recognized principles of shared governance and noting that Mr. Talley's recounting of events suggested that "neither the faculty nor its elected representatives played meaningful roles in the elimination of

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10th, 2023, that changes to procedures relative to academic governance at the College would be forthcoming. On April 18th, 2023, the President's Cabinet approved changes to Procedure I-20.1 recognizing the Academic Council as the main voice of faculty representation and academic governance, and on May 18th, 2023, the updated procedure was communicated to faculty and staff via email.

No policy or procedure exists that requires a vote of faculty and/or staff prior to revisions or deletions of the College's policies and procedures.

In speaking with Dr. Mikota, this change in procedure is in the best interest of the students and communities we serve, the decision is final, and there is simply no further action for this department to take.

the faculty senate and the creation of the academic council.” The letter added that it was “unlikely that members of the academic community would find sufficient warrant for such an action in the reasons Mr. Talley’s letter cites.” It closed by once again urging the reinstatement of the senate and by noting that, absent such a resolution, the staff on June 14 would recommend to the Association’s executive director that she authorize an investigation. Having received no word from the administration by that date, the staff did so recommend to the executive director, who authorized an investigation that day. The staff immediately informed President Mikota of the decision, following up on June 26 to provide further details, including the names of the committee members and dates for their visit to Spartanburg. Although the SCC administration declined to respond to the AAUP, it did provide a statement to a local newspaper, the *Post and Courier*. Professor Dillenbeck was provided a copy of that statement, which he shared with the AAUP’s staff. It reads:

The SCC administration received notice on June 14th from an external organization, which has prominent affiliations with labor unions such as the AFL-CIO, that holds no jurisdiction or authority over the operations and governance of Spartanburg Community College.

We do not recognize any past or present agreement between the College and the AAUP that extends [to] said organization the right to coerce the College to adhere to any of its tenets, guidelines, or practices.

Spartanburg Community College is accountable to our various accrediting agencies, the South Carolina State Board for Technical and Comprehensive Education, the Spartanburg County Commission for Technical and Community Education, and the citizens of Spartanburg, Cherokee, and Union counties.

Both the AAUP’s staff and the investigating committee reached out to President Mikota and Vice President Satterfield on several occasions to invite them to meet with the committee. Neither responded. The committee also contacted Mr. Sonny Anderson, who until June 2023 was chair of the Spartanburg County Commission for Technical and Community Education and thus a member of SCC’s governing board. Mr. Anderson did agree to speak with the committee, and a time was set for the interview. Two days

before the meeting, however, Mr. Anderson informed the committee chair that, “as the leadership at SCC has decided to not engage with AAUP, . . . I feel that it is best that I follow their lead at this time.”<sup>4</sup>

In contrast to the college’s administration, more than a few faculty members were eager to cooperate in the investigation. On July 12 and 13, the investigating committee interviewed twenty-four faculty members, including members from each of the college’s divisions. Several of the faculty members who spoke with the committee had worked at SCC for a decade or more. Many had been active on the faculty senate. Some had been active on the faculty board, a governance body that predated the faculty senate. Some were members of the new academic council. Nearly all of them so feared retaliation for participating in the investigation that they would agree to be interviewed only if their identities were kept secret and if the meetings were held at an off-campus location that would not be disclosed to the administration.

## V. Issues of Concern

AAUP-supported principles of academic governance are enunciated in the *Statement on Government of Colleges and Universities*, a document developed in concert with the American Council on Education and the Association of Governing Boards of Universities and Colleges. The *Statement on Government* calls for “joint planning and effort” involving the three major governance components—governing board, administration, and faculty—in all major institutional decisions. It accords to each of these three components decision-making authority in various areas of academic governance that corresponds to each component’s responsibilities and competencies. The faculty, given its professional expertise and responsibility for the educational mission

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4. In response to the draft text of this report, which the AAUP’s staff had sent to the SCC administration with an invitation for comment and corrections, Mr. Talley sent the following reply:

Thank you for the correspondence sharing your organization’s thoughts about Spartanburg Community College (SCC). SCC always welcomes feedback, even from outside groups, as they continually strive to enhance operations in alignment with the mission of the College.

SCC faculty members are well represented in the Academic Council, which is the College’s deliberative body that provides a forum for faculty voices to be heard and considered. SCC leaders will address any faculty concerns when they are presented in this appropriate forum.

of the institution, has primary responsibility for the “curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process.” In areas outside its primacy—for example, in matters of budgeting and salary or the appointment and evaluation of administrators—the faculty should have a decision-making role that corresponds to the bearing of a particular decision on academic matters.

### A. The Dissolution of the Faculty Senate

The *Statement on Government* does not offer a detailed blueprint of governance structures and procedures for every college and university to follow. It does, however, articulate general principles to which such structures and procedures should conform. Among them is the principle that institutions should establish agencies for faculty participation at “each level where faculty responsibility exists” as well as one agency that can present “the views of the whole faculty.” Most directly relevant to this case, the *Statement* further specifies, “The structure and procedures for faculty participation [in institutional governance] should be designed, approved, and established by joint action of the components of the institution.” It would seem to follow that the abolition of structures and procedures for faculty participation would occur by joint action as well.

The primary issue of concern in this case, then, is the SCC administration’s unilateral decision, announced in Vice President Satterfield’s April 10 email, to dissolve the faculty senate. This action, to judge from faculty reports and from the administration’s communications with faculty members and the AAUP’s staff, was effected by Dr. Satterfield without any faculty participation or even consultation.

Based on information that the AAUP’s staff and the investigating committee received, the SCC faculty senate appears to have been an agency that satisfied many of the principles articulated in the *Statement on Government*. Its bylaws were developed and implemented in 2014 by joint action of the administration and the faculty and were reauthorized by the administration in 2020. They recognized the senate as the “primary advocate representing the faculty to the college administration on all matters of faculty concern.” The bylaws provided a mechanism by which the faculty could convey to the administration and the board its formal, nonbinding concurrence or non-concurrence, prior to their adoption, with all “major changes to policy, procedures, organizational structure, or educational programs that significantly affect

the operations or academic integrity of the college.” The bylaws called for the faculty senate president to serve as an ex officio member of hiring committees for all administrative appointments other than the college president. The senate’s membership was elected from and by its constituency of all full- and part-time faculty members, and it included no administrators.

The two dozen SCC faculty members interviewed by the investigating committee articulated a perception of the faculty senate as a sound and responsive, if flawed, body. One faculty member put it succinctly: “We attended meetings; there were structures. We had bylaws. There were chances to introduce new business.” Faculty interviewees maintained that the senate represented the faculty and offered faculty members opportunities to be heard on key issues and contribute to the development of institutional policy. The “faculty senate was our voice,” a business faculty member said. “We got a lot done.” This individual described the senate’s creation of an “over-28 policy,” whereby SCC paid faculty members additional salary for each student over the twenty-eight-student enrollment cap. Contrary to AAUP-supported standards, SCC does not provide its faculty members the opportunity to petition a faculty committee to review formal grievances. As a result, Professor Dillenbeck noted, the faculty senate often addressed policy matters in response to individual faculty members’ complaints. In the 2022–23 academic year, the faculty senate considered many curricular and compensation matters, including the assessment of online courses, enrollment policies for dual-credit courses, and merit-based salary increases. A professor in the arts and sciences division who had served on the faculty senate described the situation this way: “There were always open communications in the past. True access. Shared governance does not mean that administration has to do what we want. But not being heard is new for us.”

The relationship between the faculty senate and the administration, the investigating committee was informed, was never perfect. While the bylaws called for the senate president to serve on administrative hiring committees, that officer was not always included. There could be other sources of contention too, as former senate president Professor Dillenbeck conceded during his interview. Even before the events of spring 2023, there were sometimes tensions with the administration concerning votes of concurrence or nonconcurrence.

It therefore seems evident that no legitimate grounds existed for the administration’s drastic action,

and the stated rationales for that action are patently insufficient. Dr. Satterfield's April 10 email, as noted above, suggested that the dissolution was necessary because "several" faculty members had approached her to say they disagreed with Professor Dillenbeck's position on the on-campus work policy and that the faculty senate's position "was not a true representation of the thoughts, feelings, and ideas of the faculty as a whole." Mr. Talley's May 15 letter also cited disagreement among senate members as grounds for the dissolution, stating that the senate had "divided the faculty against each other" and was itself "divided," as allegedly evidenced by reports of "heated" public arguments between senate members about the on-campus work policy. The implicit standard is risible. If a representative body can claim legitimacy only if its members completely agree among themselves and only if its constituents unanimously accept its decisions, then no representative body would be legitimate.

These same communications also cite as a reason for the dissolution the possibility that the senate might place itself and its constituents in an "adversarial position" with the administration. It is hard to understand this rationale as anything other than an admission that the senate, had it not been dissolved, would later that day have formally conveyed strong objections to the administration's on-campus work policy. Such an outcome was apparently unacceptable to Dr. Satterfield, whose April 10 email message declared, "[Neither] I, nor the SCC administration, will . . . support any action that puts our faculty in an adversarial or uncomfortable position." But disagreements between the components of an institution are an inevitable feature of academic governance, and, as we observe below, the right of faculty members to articulate views on institutional policies is an essential component of academic freedom. The evidence plainly suggests that the SCC administration was so concerned at the mere prospect of an official faculty body registering its formal dissent that it opted to silence that body before it could do so.

## **B. The Academic Council**

While the faculty senate's bylaws satisfied many of the principles articulated in the *Statement on Government of Colleges and Universities*, the new academic council is wholly inadequate by those standards. The administration unilaterally developed and promulgated the council's bylaws instead of engaging in the "joint action" the *Statement* prescribes. Since the council's sole purpose, according to its bylaws, is limited to supporting "the academic mission and

objectives" of the college, its functions are far narrower than those of the former faculty senate. While Vice President Satterfield's April 10 email message assured the faculty that the academic council would place "primary responsibility for the content, quality, and effectiveness of the curriculum with the faculty," its charge includes only "recommending, reviewing, interpreting, and approving academic policies, general admission and graduation requirements, teaching and learning methods, curricula, courses, and assessment of student learning and curricular effectiveness." In an April 24 email to SCC faculty members inviting them to vote in the council elections, Dr. Satterfield offered her vision for the council. It was "designed," she wrote, "to provide a forum where members of the college community meet to discuss matters dealing with curriculum and instruction. The Academic Council discussions take place within a structured context and recommendations are developed and forwarded to the appropriate administrators."

This description of the academic council envisions what can only be called a paper-thin notion of shared governance, even within areas over which the faculty has primary responsibility. It characterizes the faculty as merely "members of the college community," rather than as a distinct and authoritative constituency in its own right, and it confines the faculty's decision-making purview entirely to matters of curriculum and teaching. Given its origin, it is not surprising that the academic council includes, in addition to twenty faculty members, thirteen administrators, though as nonvoting, ex officio members. These include the president, the vice president for academic affairs, and the academic deans.

Another signal difference between the faculty senate and the academic council is that the former enfranchised part-time faculty members, while the latter, by the administration's design, excludes them. The committee was not able to speak with part-time SCC faculty members to discover their views on this matter, likely because of the climate of fear faculty interviewees described. As previously noted, the *Statement on Government* emphasizes that there should be an agency for representing the faculty as a whole, not just its full-time members, and for that reason the AAUP's statement on *Contingent Appointments and the Academic Profession* recommends that "faculty and administrators in each institution, program, or department should together determine the appropriate modes and levels of participation in governance for part-time faculty, considering issues such as

voting rights, representation, and inclusion in committees and governance bodies, with the primary aim of obtaining the best wisdom and cooperation of all colleagues in the governance of their institutions.” When it unilaterally formed the academic council, the SCC administration not only denied part-time faculty members a voice in the primary faculty representative body, it also denied the faculty as a whole the opportunity to join in determining the place of its most vulnerable members in that body.

The near-total opacity surrounding the academic council election process illustrates how the body is designed to operate. While the *Statement on Government* specifies that “faculty representatives should be selected by the faculty according to procedures determined by the faculty,” the nomination and election processes for the academic council were designed and implemented by the administration, with slates of nominees developed by the academic deans. Faculty input concerning prospective members was, in at least one division noted above, limited to one highly abbreviated, fifteen-hour period after business hours. Several faculty members who met with the investigating committee said that some of the candidates for election were unknown to them. In contravention of the academic council’s own bylaws—which faculty members had not yet seen, let alone approved, at the time of the election—nominees’ names appeared on an emailed list with no indication about the role they played at SCC or even the academic unit to which they belonged.

Some faculty members, we were informed, pressed by their deans into standing for nomination to the council, asked their colleagues not to vote for them. To their surprise, they were elected anyway. One faculty member who wished to serve put her name forward but was told—before any bylaws had been seen, let alone approved—that she was ineligible. “Everything came down from the top,” she told the committee. All but two members of the council nominated to serve as chair or vice chair declined the nomination. Thus, the electronic ballot distributed in May included only one name each for council chair and vice chair.

The voting process itself appears to have been severely flawed. An arts and sciences faculty member informed the investigating committee that she tried to vote but was unable to do so. When she emailed Vice President Satterfield’s administrative assistant to gain access to the voting process, the assistant said she would look into the matter. The faculty member never heard back and was unable to vote. Other faculty members described having been able to vote more than once.

Several faculty members asked administrators multiple times how the votes were counted and by whom, but they received no answer. Another arts and sciences faculty member inquiring with her dean about the process was told that the vote tallies from the election would not be made public because, the dean reportedly said, “We don’t want to hurt anyone’s feelings.”

In his May 15 letter to the AAUP’s staff, Mr. Talley referred to Vice President Satterfield’s decision to “reorganize the current Curriculum Review Committee and establish an Academic Council” as having been designed “to give even more governance to the faculty in lieu of the Faculty Senate.” This characterization is plainly disingenuous, even setting aside the fact that the academic council’s sphere of responsibility, unlike that of the faculty senate, is restricted to curriculum and instruction. A former member of the senate said she agreed to serve on the academic council because she considered doing so her “duty” and “wanted to be open-minded.” But several other faculty members described feeling compelled to serve on it against their express wishes, which they had communicated to their deans. Even the faculty member who felt an obligation to serve and did so mostly willingly found that the administration had “no intention of being fair.” Communications about its work, including agendas, have been sporadic, faculty members say. Agendas, when made available, were set by the administration shortly before meetings. Faculty members serving on the academic council were given no rationales for proposed changes, no documentation, and no proposals that would offer them a legitimate way to decide how to cast their votes. At the academic council’s first meeting, administrative members asked the faculty members to approve bylaws that none of them had seen. According to two interviewees, faculty members had to ask for administrative permission to see the bylaws.

One faculty member told the committee that the academic council was “being used to bypass chairs,” but, in actuality, it seems to have been designed to bypass all nonadministrative oversight. A health sciences faculty member informed the committee that Vice President Satterfield asked the academic council to approve the creation of a sonogram program. But a sonogram program director, it was later learned, had already been appointed.

Another faculty member expressed the hopeful conviction that SCC’s administration had felt “a bit of pressure” because of the faculty’s response to the academic council. To them, this accounted for

administrative officers' recently informing council members that, when the body next convened, the administration would leave the Zoom call at close of regular business to allow faculty members the space to meet on their own. But even this minor concession may have ultimately been too much for SCC administrators to grant. When a faculty member responded by email that a few minutes on a Zoom call was inadequate for a proper discussion, the objection was met with silence.

The administration's May 15 reply to the AAUP's staff lists other "college meetings, institutional committees, and advisory boards" that, the letter states, afford the faculty a voice in governance and "participation opportunities concerning the internal operations of the institution." It adds that "faculty interests are also represented on the President's Cabinet by the Vice President of Academic Affairs." Professor Linda K. Schmidt, the SCC mathematics chair and AAUP chapter vice president, offered the investigating committee an assessment of the listed "participation opportunities." Some of them, such as the Language Cooperative Group and the Student Success Committee, she said she had "never heard of," nor was she able to find information about them. The WOW Symposium "connects the Spartanburg community with visionary authors to encourage critical reflection on relevant topics." As a chair, Professor Schmidt does meet every two weeks with the Arts and Sciences Leadership Committee, which is made up of the department chairs in that division. "At these meetings," she said, "the Dean tells the chairs [about policy] changes or implementation . . . in Arts & Sciences." None of the committees referenced in the administration's May 15 letter could be said to meet the *Statement on Government's* insistence on "joint planning and effort" involving the governing board, administration, and faculty in all major institutional decisions. Nor could they be said to provide for faculty participation at "each level where faculty responsibility exists." It is also not clear whether faculty members serving on these other bodies are elected by their colleagues and can therefore be regarded as legitimate faculty representatives. Certainly Dr. Satterfield, as an administrator appointed by the president rather than elected by the faculty, cannot be said to serve as the faculty's representative on the president's cabinet or in any other governance capacity.

### **C. Additional Governance Issues**

As noted above, the *Statement on Government of Colleges and Universities* gives the faculty primary decision-making authority in those areas related to its

responsibilities and expertise, including "curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process." In these areas, the *Statement* continues, "the power of review or final decision lodged in the governing board or delegated by it to the president should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty."

Even before dissolution of the faculty senate, the SCC faculty's authority in many of these areas was weak or nonexistent, especially on faculty status issues such as appointments, reappointments, grievances, sanctions, and dismissals. Faculty members report that their involvement in appointment and reappointment decisions is informal and varies widely and haphazardly across departments, operating largely at the discretion of the administrators in their divisions. There is no faculty grievance procedure that allows faculty members to petition an elected committee of their colleagues to review grievances, minor sanctions, or appeals of administrative personnel decisions, as is called for in the Association's *Recommended Institutional Regulations on Academic Freedom and Tenure*. Faculty members who face dismissal for cause or major sanctions, such as suspension, are not afforded the key element of academic due process called for under Association standards: a prior hearing before an elected faculty committee at which the administration will bear the burden of demonstrating adequate cause. While the faculty senate would sometimes take up faculty members' complaints and concerns, its informal consideration was no substitute for policies that accord the faculty a role in a formal grievance process. And since its dissolution, the SCC faculty has no institutional voice at all in these crucial personnel matters.

Even within the area of curriculum and instruction, the new academic council appears to be so constrained in its operations that it can observe shared governance principles only in the breach. As noted earlier, communications concerning the academic council's work, including agendas, have been sporadic. The May 25 meeting agenda consisted entirely of program modifications and new course offerings that faculty representatives were to "vote" on, but without proposals or rationales for proposed changes, faculty members had no way to decide how to cast an informed vote. Faculty members told the investigating committee that the current administrative message was "get students through the program faster" and said that Vice President Satterfield used national statistics, rather than



local data, to compel changes in programming. Faculty members reported that administrators have directed them to cut general education requirements and lower standards. Faculty members on the academic council said they were concerned about removing general education courses from health sciences programs to “streamline” them. But as this report has indicated, the structure and mission of the academic council are designed to foreclose conversations.

The committee’s discussions with mathematics faculty members strongly suggested a failure on the SCC administration’s part to defer to the faculty’s judgment even in matters of methods of instruction, as called for in the *Statement on Government*. Mathematics chair Schmidt explained to the committee that in spring 2023 Vice President Satterfield decreed that instructors in the mathematics department would no longer be permitted to use instructional software because faculty members must “develop their own material” and “not depend on courseware to do the work for them.”<sup>5</sup> The AAUP’s *Statement on Online and Distance Education* specifies that decisions about instructional technologies in these settings will normally be made by “the applicable academic unit” in conformity with “established institutional policies.” Surveys administered by math faculty members at SCC showed that students like and derive benefits from using the courseware, which is also less expensive for them to purchase than alternative course materials. Other instructional units offering math classes were allowed to continue using courseware in instruction. Professor Schmidt told the committee that her entire department’s annual performance evaluations are currently being held up. Her belief, underscored by several other faculty members, is that the math department is being targeted because of its resistance to policy changes, including Vice President Satterfield’s sudden decision to deny them future use of courseware.

The *Statement on Government* also emphasizes that shared governance requires meaningful faculty participation in decisions about “the internal operations of the institution” in areas beyond the scope of the faculty’s primary responsibility, including long-term planning, the physical plant, budgeting, and the selection and evaluation of administrative officers, among other issues. Section 5 of the *Statement of Government* specifies that the faculty should “have a

voice in the determination of short- and long-range [budgetary] priorities” and “actively participate in the determination of policies and procedures governing salary increases.” The AAUP statement on *Faculty Participation in the Selection, Evaluation, and Retention of Administrators* details criteria for the faculty’s involvement in decisions in those areas.

The above-noted 37.5-hour workload policy, the promulgation of which initiated the chain of events that culminated in the abolition of the senate, serves as a key example where the faculty should have been meaningfully involved. As the AAUP’s *Statement on Faculty Workload with Interpretive Comments* observes, “the faculty should participate fully in the determination of workload policy, both initially and in all subsequent reappraisals.” However, in spring 2023, the administration, without faculty involvement, reinterpreted a 2014 campus work policy to permit deans to require faculty members to be present on campus for 37.5 hours per week. In a March 31 email to the department chairs in his division, Dean of Technology Mark Smith wrote, “Faculty are expected to be present from 8:00AM to 5:00PM Monday thru Thursday with a 1-hour break and Friday 8:00AM thru 1:30PM. Faculty are expected to be present 37.5 hours per week. The 37.5-hour work week breaks down to the following: assigned teaching hours, 8 office hours and remaining hours of professional development, course development, grading, class preparation, or other duties as assigned. Any overload you are assigned is to be added to your 37.5-hour workload.”

The 2014 policy, however, does not state that “faculty are expected to be present 37.5 hours per week,” as Dean Smith’s email asserts. Rather, it states that faculty members are to be “on campus Monday–Friday” and “maintain a minimum of eight office hours per week.” It also states that “faculty will have flexibility within the established work week to exercise professional judgment in determining on-campus and off-campus activities.” One longtime faculty member told the committee that “the 37-hour thing had come up before, but the college had always settled on flexibility.”

Vice President Satterfield’s April 10 email message takes the position that such “operational” matters are not subjects of shared governance, contrary to Association-recommended standards. As noted above, the faculty senate bylaws contained mechanisms for formally expressing concurrence or nonconcurrence with policies in these areas. Moreover, the senate had occasion to initiate policy recommendations, as described above. As mentioned previously, the senate

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5. In subsequent communication with the AAUP’s staff, Professor Schmidt reported that Dr. Satterfield had lifted this prohibition in late July, after the investigating committee’s visit.

bylaws also provided that the faculty senate president serve on committees selecting administrators, and while faculty members told the investigating committee that rule had not been observed recently—as in the case of Vice President Satterfield’s appointment—it had often been honored in the past. With the abolition of the senate, the prospects for meaningful faculty involvement in areas over which the faculty does not have primary responsibility appear dismal.

#### D. Communication

The *Statement on Government* asserts that the “inseparable interdependence among governing board, administration, faculty, students, and others . . . calls for adequate communication among these components,” adding, “Whatever the channels of communication, they should be clearly understood and observed.” The AAUP’s 2014 statement *Faculty Communication with Governing Boards* emphasizes that shared governance functions best “when communication among the governing board, the administration, and the faculty is regular, open, and unmediated,” and it offers recommendations for how best to facilitate such communication.

The arrival on SCC’s campus in 2020 of Dr. Mikota, who had had little prior experience in higher education administration, marked a clear turning point for faculty-administration communication, according to faculty members. Several faculty members informed the committee that President Mikota “works behind a locked secure door” and that they may see him only by appointment. Another faculty member added, “You have to make an appointment, and they won’t take your appointment.” When President Mikota arrived, he formed an academic deans’ council. The faculty senate requested a seat on that council and was rebuffed. Two of the faculty members interviewed by the investigating committee attended a meeting President Mikota convened with Professor Dillenbeck in October 2022 to object to an entry in the faculty senate minutes that reported that body’s support for flexibility in faculty on-campus work requirements. President Mikota, they say, “raised his voice” and “wagged his finger” at Professor Dillenbeck. Since then, the president has refused even to speak to Professor Dillenbeck, although at the time of this writing the administration has not taken any formal disciplinary actions against him.

The appointment of Vice President Satterfield appears to have represented another step backward for shared governance at SCC. Many faculty members expressed how surprised they were to learn, in February

2023, that she had been appointed. Many did not consider her qualifications in the for-profit educational sphere appropriate to their college’s identity and needs. Professor Dillenbeck, despite the senate bylaws requiring his inclusion, did not serve on the hiring committee. Dr. Satterfield’s views on administration-faculty relations appear to resemble the president’s. Shortly after her appointment, Professor Dillenbeck recalled, he invited Dr. Satterfield on three occasions to meet with the faculty senate. She neither accepted nor declined the invitations: she simply did not attend. This behavior exemplifies an apparent disinclination among SCC’s upper administration to communicate with the faculty. Other faculty members described having little to no opportunity to meet informally with Dr. Satterfield. At least one chair was told by his dean not to email her.

In the view of the investigating committee, the replacement of the faculty senate with the academic council is not the only reason shared governance cannot function at SCC. Another is the administration’s adoption of a de facto policy of noncommunication or, at best, of sporadic, incomplete, or confusing communication. This amounts, the committee believes, to an abuse of power. We learned in our interviews that information at SCC is doled out to faculty members incrementally or not at all, leading those who do not receive it to feel undermined and increasingly mistrustful. As a result, mid-level administrators, such as academic deans, may improvise how policy is implemented or how it functions. Faculty members also described deans who flatly refused to discuss policy (for example, concerning teaching overloads), and some deans were apparently privy to information that others did not have. Faculty members reported receiving no responses to their email messages and a resulting inability to get answers to their questions.

The administration’s approach to communication has damaged collegiality and trust across the institution, a situation about which faculty members say even students are aware, so much so that they are raising the issue with their instructors. Mathematics chair Schmidt told the committee that she was seeing more faculty members out sick than she can ever remember, a phenomenon she attributed to the stress levels the campus climate engenders. Some faculty members told the committee that they no longer know whom they can trust, even among their own ranks. Information has become a commodity at SCC. Some people have it; others do not. No one is quite sure who is in the know and who is reporting what to whom. Faculty members testified that the lack of “regular, open, and unmediated” communication has not only

poisoned the atmosphere and demoralized the faculty; it has undermined a working environment that requires a minimum level of trust to function.

### E. Conditions for Academic Freedom

Although this is a report of a governance investigation, the issues it raises cannot but implicate academic freedom as well. As the AAUP's statement *On the Relationship of Faculty Governance to Academic Freedom* observes, academic freedom and shared governance are inescapably interconnected: deficiencies in one area will undermine the other. "A sound system of institutional governance is a necessary condition for the protection of faculty rights and thereby for the most productive exercise of essential faculty freedoms," the statement says. "Correspondingly, the protection of the academic freedom of faculty members in addressing issues of institutional governance is a prerequisite for the practice of governance unhampered by fear of retribution."

Academic freedom includes faculty members' freedom of intramural speech—the right "to express their views . . . on matters having to do with their institution and its policies," whether speaking independently or through official governance channels. Such freedom is necessary, according to *On the Relationship of Faculty Governance to Academic Freedom*, because "grounds for thinking an institutional policy desirable or undesirable must be heard and assessed if the community is to have confidence that its policies are appropriate."

But faculty members who spoke with us say that the SCC administration regards faculty dissent as unacceptable and therefore attempts to silence it. In this committee's judgment, the dissolution of the senate should be understood not only as contravening governance principles but also as a direct attack on academic freedom. The administration's action constituted a preemptive effort to silence that body, its members, and its constituents and keep them from expressing their views on a specific institutional policy. In effect, the administration imposed upon the senate the most severe sanction possible—its summary dismissal—as a form of prior restraint against speech it suspected would dissent from the administration's position.

The silencing of individual intramural speech features in this case as well. As mentioned above, Professor Dillenbeck's email calling an emergency faculty senate meeting in April was forwarded to President Mikota, but the administration blocked it from being delivered to the faculty, an unacceptable impediment to his academic freedom to comment on institutional matters and to

communicate with his constituents in carrying out his duties as faculty senate president. As the report *Academic Freedom and Electronic Communications* notes, "Senate officers and other faculty representatives engaged in institutional governance activities should have free and unfettered access to university-controlled lists of faculty members they represent, and all faculty members should be able to comment electronically on governance issues without restriction or fear of disciplinary action."

This incident also suggests that the administration is monitoring faculty members' electronic communications. Indeed, a department chair informed the investigating committee that an administrative superior had warned her that the administration was screening faculty members' email messages. Other faculty members reported to us that emails seem to go missing from the server: faculty members searched their email for specific messages they had received and found that they had vanished.<sup>6</sup>

When faculty members have reason to be concerned that the administration is monitoring their communications and activities, the consequences for academic freedom are dire. Remarkably, there is evidence that the administration used campus police to conduct surveillance of Professor Dillenbeck. An email exchange between Vice President Satterfield and campus law enforcement—on which Professor Dillenbeck was inadvertently copied and which he shared with this committee—strongly suggests that the administration asked campus police to use security cameras to monitor Professor Dillenbeck's activities on campus after he was copied on the AAUP staff's April 26 letter to the administration. On May 3—the same

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6. Shortly before the publication of this report, the AAUP's staff received a copy of an October 20, 2023, letter from the state inspector general (SIG) to the chair of SCC's governing board reporting the results of his office's investigation into the incidents described in this report. The SIG found that, despite her telling his office that Professor Dillenbeck was not under investigation, Dr. Satterfield had made three separate requests to SCC's IT department to review Professor Dillenbeck's email correspondence from January 1, 2022, to April 12, 2023, to find "information harmful to the college, including references to a faculty walkout . . . , a boycott of graduation, or the withholding of grades." The reviews yielded no such information. According to the SIG letter, Dr. Satterfield also requested review of at least two other faculty members' electronic communications. The SIG's letter also says that Dr. Satterfield "lacked candor" when speaking under oath to his office on this matter and that a statement she approved for release to the press denying that the administration monitored its employees' individual email accounts was "false."

day that Mr. Talley wrote to the AAUP's staff that the Association's concerns were evidently prompted by one faculty member and that the administration would be "gathering information" to respond to those concerns—a campus police officer wrote to Dr. Satterfield: "Good Morning, Chief has assigned me the task of looking into Mr. Dillenbeck for you. If you could please provide me with a schedule for him, this will aid me in the review of the security cameras." When Professor Dillenbeck replied to ask about the nature of the complaint against him, the officer explained that he had actually been asked to monitor a student with a "similar" name, and that he had added Professor Dillenbeck to the email chain "without thinking." It seems at least equally plausible that he meant to put Professor Dillenbeck's name in the subject line and inadvertently copied him instead. Vice President Satterfield quickly followed up by email to deny any knowledge of the request, despite the officer's reference to the review of camera footage as being for her.<sup>7</sup>

Similar concerns about surveillance have arisen concerning the administration's enforcement of the on-campus work-hours policy. Many faculty members from business and computer technologies and from arts and sciences told the committee that their deans are monitoring their comings and goings. They described the administrative assistants of arts and sciences dean Jenny Williams and Vice President Satterfield walking the halls with a clipboard, checking to see who is and is not in their office. One faculty member told the committee that she places a note on her door when she goes to the restroom in case an assistant comes by and assumes she is not working. Multiple faculty members described Dean of Technology Mark Smith sitting in his car, watching faculty members arrive for work at 8:00 a.m. and then watching over the parking lot again around 4:30 p.m. to see who might be leaving early.

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7. The October 20 SIG letter reports that this "cover story" involving a student with a similar name "was a falsehood." Testimony from a senior police official "confirmed to the SIG that [Dr. Satterfield] had tasked the campus police to 'look into' [Professor Dillenbeck] and review surveillance video," but the official stated that, after the email was inadvertently sent to Professor Dillenbeck, the police did not conduct the review. The SIG letter further reports that Dr. Satterfield, "while under oath, denied to the SIG that she requested the senior police official to review video of" Professor Dillenbeck—another instance, the SIG said, in which she had "lacked candor." The SIG also found that when the SCC administration repeated the "cover story" to a media outlet in June, it had "attempted through a false statement to mislead" the press and the public.

It puzzled the investigating committee that a policy in existence since 2014 was only now being enforced and that its reinterpretation has prompted the kind of surveillance that so many faculty members say they have witnessed and experienced. Being present on campus for 37.5 hours a week seems to have little to do with people doing their jobs. Full-time faculty members at SCC teach at least five courses (or the equivalent) per semester and many must rely on teaching overloads to generate additional income. One program director with whom we spoke carried an advising load of one hundred to two hundred students, for which he was paid an additional \$150 per month.<sup>8</sup> As an arts and sciences faculty member put it, working "thirty-seven hours is not the issue." Rather, it seems to this committee, the reinterpreted policy is being used as a pretext for monitoring faculty and potential retaliation, and as a way of keeping faculty members in line.

Faculty members who spoke with the investigating committee contend that they work in a dysfunctional climate of fear, one that has substantially worsened since President Mikota and then Vice President Satterfield joined the administration. While many faculty members oppose the administration's actions, only a handful have been willing to do so publicly. Many were eager to speak to the investigating committee, but, as noted above, the vast majority were willing to do so only if the interviews were held off campus. And few of the faculty members who did speak with the committee wished to be named in the report. Faculty members fear a variety of potential retaliatory measures: being sent to work at another, far-away campus; being cut off from a campus where they have been employed for decades; losing their jobs. Even a faculty member who had recently resigned did not want her name used. Several interviewees talked about having "targets on their backs." A faculty whose members all serve on contingent, renewable appointments, and whose primary responsibility for matters of faculty status is not recognized in institutional policies, can do little to alleviate these anxieties. Spartanburg is a close-knit—one might say insular—community, and people value maintaining long-held relationships. But the specific nature of faculty fears is symptomatic of an environment inimical to academic freedom.

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8. In response to a draft text of this report submitted to them for comment, SCC faculty members reported to the AAUP's staff that this faculty member had had his fall advising load reduced from two hundred to one hundred students. This reduction was effected the same day that the administration received the draft report.

## VI. Conclusion

“This administration just does not respect faculty members or our expertise” was the sentiment expressed by many SCC faculty members who agreed to speak to the committee. This perceived lack of respect appears to have permeated many aspects of campus life and ranges from the cartoonishly petty (reducing the honorarium for “faculty member of the year” from \$100 to \$50) to perhaps the most draconian action an administration can take to undermine shared governance: the unilateral dissolution of the faculty’s principal agency for participation in institutional affairs. An autocratic style is reshaping the college’s culture. Faculty members described having their workload adjusted upward without consultation or additional remuneration. Overload teaching, freely offered to faculty members to supplement their incomes in the past, has been sharply restricted in some departments without a clear rationale. The administration, for a time, barred some departments from using courseware, while others in the same division were allowed to use it uninterrupted. Programs have been renamed, and new units sheared off from existing ones, by administrative fiat.

As we hope to have made clear, this is not a story about a disgruntled faculty. We found faculty members to be highly committed to their students and their professions. Rather, it is a story about the chilling of faculty speech and about abuses of power, not least the administration’s evident request that campus police use security camera footage to monitor the former faculty senate president. It is about the weaponization of information and a sporadic and arbitrary style of communication—or, in some cases, the complete absence of communication. And it is about the disastrous consequences for academic freedom when a faculty is not allowed to participate in the governance of its institution.

One of the main conclusions the investigating committee has drawn concerns the very nature of shared governance. Faculty members and administrators may sometimes be inclined to view shared governance as a philosophical ideal, an abstract principle. But this investigation has yielded a stark reminder: at its core, shared governance is a practical matter. If an administration shuts out the faculty from all important decision-making processes and closes down lines of communication, the crucial work of colleges and universities simply cannot get done. If information is jealously guarded, if vital procedures and policy changes are made behind closed doors and kept secret, the faculty is set adrift. As a result, an institution’s service to the greater good suffers.

This fact is arguably nowhere truer than in the nation’s community colleges. This committee spoke with instructors of mathematics, business, history, health sciences, and welding, among others. These faculty members are training the individuals who provide health care, run offices, administer drug tests, and construct buildings and bridges. Faculty members at SCC left a strong impression of their dedication to ensuring that the students they educate will be thoroughly and properly trained in their areas of study. But the collapse of meaningful shared governance at SCC has endangered that effort. ■



**MONICA BLACK** (History)

University of Tennessee, Knoxville, *chair*

**MATTHEW BOEDY** (English)

University of North Georgia

**HOLLIS F. GLASER** (Speech, Communication, and Theatre Arts)

Borough of Manhattan Community College, City University of New York

### *Investigating Committee*

The Committee on College and University Governance has by vote authorized publication of this report on the AAUP website and in the *Bulletin of the American Association of University Professors*.

Chair: **AFSHAN JAFAR** (Sociology), Connecticut College

Members: **MARCUS ALFRED** (Physics), Howard University; **MONICA BLACK\*** (History), University of Tennessee, Knoxville; **BETHANY CARSON** (English), Santa Fe Community College; **SIMON FITZPATRICK** (Philosophy), John Carroll College; **SHAWN GILMORE** (English), University of Illinois at Urbana-Champaign; **PIPPA HOLLOWAY** (History), University of Richmond; **JULIA SCHLECK** (English), University of Nebraska–Lincoln; **ROXANNE SHIRAZI** (Library), City University of New York; **BRIAN TURNER** (Political Science), Randolph–Macon College; **IRENE MULVEY** (Mathematics), Fairfield University, *ex officio*

\* Did not participate in the vote.