



## COLLEGE AND UNIVERSITY GOVERNANCE: VERMONT LAW SCHOOL

The report of the investigating committee describes departures from AAUP-supported standards of academic governance evident in a faculty “restructuring” process at Vermont Law School that resulted in lowering salaries, reducing the number of full-time positions, and effectively eliminating the tenured status of 75 percent of the institution’s highest paid faculty members. Fourteen of the nineteen tenured faculty members were essentially turned into at-will employees—transferring the bulk of the teaching load to lesser-paid faculty members serving on contingent appointments and radically reducing the size of the full-time faculty. Faculty members who accepted restructured appointments in lieu of termination were required to sign releases-of-claims and nondisclosure and non-disparagement agreements. The investigating committee found that the faculty played no meaningful role in analyzing, assessing, or, most important, approving the restructuring plan.

Since at least 2012, VLS has experienced significant financial difficulties, resulting in part from the national crisis in legal education. The investigating committee received ample evidence regarding the administration’s efforts to communicate with faculty members in order to solicit their ideas about and reactions to various expenditure-reducing scenarios. But absent from the administration’s approach was the fundamental understanding that shared governance requires far more than merely providing information to faculty members and inviting their perspectives before making a decision.

The report found that, in its actions to restructure the faculty in spring 2018, the administration of Vermont Law School disregarded the standards set forth in the AAUP’s *Statement on Government of Colleges and Universities* and derivative Association documents. The report found, further, that unacceptable conditions of academic governance prevail at the institution.

The Committee on College and University Governance therefore recommends to the 105th annual meeting that Vermont Law School be added to the Association’s list of institutions sanctioned for substantial non-compliance with standards of academic government.