



*MANAGEMENT IN PLACE OF
LEADERSHIP: REPORT ON
COVID-19 CAMPUS RESPONSE
SURVEY*

*New York State Conference of the American Association of University
Professors*

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Executive Summary

Close to 200 AAUP members from a wide array of institutions in New York State responded to our questions about their institutions' responses to the COVID-19 pandemic. Two-thirds of respondents somewhat to strongly agree that their campus is handling the COVID crisis responsibly and ethically, while just over one quarter somewhat to strongly disagree. Yet in the open-ended responses there was **overwhelming concern expressed that despite plans and good intentions community safety could not be guaranteed when employees and students return to campus.**

Similarly, two-thirds of respondents reported that in terms of COVID-related decision-making, "There was/is a committee with representative faculty leadership, e.g. union, governance, etc." However, only about one-third of those responding indicated that faculty were actively involved in decision-making and that faculty were consulted and their recommendations were being followed. In the three open-ended questions, **many faculty members voiced concerns about shared governance on their campuses.**

Our results indicate there were **a wide range of institutional responses in terms of modality of teaching (hybrid, online, face-to-face, remote) and campus safety measures.** While it appears that hybrid and online courses as well as face-to-face options exist on most campuses, we heard from many faculty members that their campuses were going back face-to-face with very limited opportunities for faculty (and in some cases students) to opt for a remote or online option. **Many faculty members expressed concerns that clear plans had either not been developed and/or clearly communicated to campus communities** (given that the survey was administered in the final week of July and first week of August this is a serious concern).

When asked to list their top three issues related to campus COVID responses, faculty **concerns for campus/community safety** were by far the most prevalent, followed by **concerns about educational delivery** (both face-to-face and remote/online), and the **financial impacts of the crisis**, particularly in terms of faculty and staff retrenchment. We focus the bulk of this report on these three issue areas.

Interestingly, while a handful of respondents did express concern for increased faculty and staff workload (due to online/hybrid teaching modalities and faculty/staff retrenchment) these concerns were generally not listed in the top three issues. This raises concern that **faculty and staff are simply absorbing extra work with little to no recognition of their contributions, invisibilizing the need for increased investment in higher education.**

Introduction

Close to 200 AAUP members from a wide array of institutions in New York State responded to our questions about their institutions' responses to the COVID-19 pandemic during the final week of July and first week of August 2020. As one of our respondents aptly observed, what we are seeing at institutions of higher education across the state is "management in place of leadership and failure to observe standards of faculty governance/participation in decision making and problem solving." While this characterization may not apply across the board, the majority of respondents expressed unease at the way crisis management is being implemented at their institutions.

This report is focused on the three main areas of concern raised by the survey respondents: campus/community safety, educational delivery, and financial impacts. Many of our respondents indicated that they were very interested in hearing about how the crisis is being handled on other campuses. We try to include as much of those details as practical in this report without identifying specific institutions.

In places we also include references and links to documents/policies/organizational websites that provide information requested by respondents. This report is not a comprehensive response to the questions/issues raised, and our state conference is working to develop programming and resources to help our members and chapters improve their campus COVID responses.

The lack of leadership on campus is compounded by the lack of any meaningful guidelines from the federal government. New York State has provided a [set of guidelines for reopening higher education](#) which we will refer to as relevant in this report. These guidelines are not comprehensive and only apply to ensuring the safety of in-person education; they place full responsibility (including financial responsibility) on institutions of higher learning and their employees and students. They do not address requirements or costs for online and remote learning.

We hope the information provided in this report facilitates collective action by our campus chapters and at-large members. Please contact our NYS Conference Executive Director, Sally Dear-Healey (sdearhealeyaaup@gmail.com), or our President, Mary Rose Kubal (mrkubalaaup@gmail.com), with any questions or requests for follow up on this report (including facilitating contacts with other AAUP chapter leaders).

Campus/Community Safety

Just over half of the issues listed by respondents as the top 3 on their campus related to campus and community safety (by way of contrast only about 25% of the issues listed had to do with educational delivery, the next largest category). While many responses were fairly general (e.g. "Concern that safety measures for those who must be on campus are being taken."), others were specific about their safety concerns.

The largest set of concerns revolved around **the lack of clear, consistent policies and enforcement**. *This is particularly concerning given that the survey was administered in the final week of July and first week of August.* Respondents characterized their respective administrations' responses in terms of: "stalling," "uncertainty," "hedging," "flip-flopping," "late," "opaque," "confused." Others pointed to the lack of communication of any plans. One respondent observed, "still no clear plan on how face-to-face courses will be offered given the requirement of a 2/3rd reduction in occupancy in classrooms." While another pointed out, "The administration is not giving clear or truthful answers to our concerns about safety including room size/occupancy, information about contact tracing or how often testing will occur, hallways are not being made one-way, it's unclear if our ventilation systems are up to code."

NYS reopening guidelines specify that all higher education institutions *must* submit reopening plans prior to reopening and that these **plans must be "conspicuously posted "for employees and students to access."** The best practices recommended by NYS in terms of communication include engagement with campus community members when developing reopening plans and the development of "a communications plan for students, employees, and visitors that includes reopening-related instructions, training, signage, and a consistent means to provide them with information." (*Reopening New York: Higher Education Guidelines*)

Other concerns listed by respondents included **fears over having students on campus and in-person instruction**, with specific concerns about expectations of student compliance not being realistic.

As one respondent observed, even the best plans rest on the problematic assumption of student compliance:

"My campus is taking all sorts of rigorous measures, such as systematic testing of all students, required quarantine, upped disinfection protocols, etc. We have also changed class schedules and calendars, and faculty are given complete choice in their teaching modalities. *However,* the success of the whole endeavor relies on student compliance with a community health commitment that includes a whole range of behavioral expectations. That's where I lose faith and find the decision

to reopen unethical. We've never succeeded in eradicating sexual misconduct, biased behavior, and academic dishonesty. Basing our hopes against a deadly virus on student compliance with inconvenient protocols strikes me as foolhardy at best, unethical at worst."

Several respondents listed **concerns related to screening for the virus** (testing/contact tracing/temperature checks) – in particular that there would not be enough screening and that it was unclear who would pay the costs of screening (local/state government, the institution, students). One respondent noted: "We are not quarantining, testing, or contact tracing students. Evaluations of Covid infection are self-reported or observed, not tested."

This does not necessarily violate the NYS guidelines. Institutions may meet the NYS mandatory screening requirements through "asking about, at minimum: (1) COVID-19 symptoms in past 14 days, (2) positive COVID-19 test in past 14 days, and/or (3) close or proximate contact with confirmed or suspected COVID-19 case in past 14 days." However, recommended best practices include testing students, faculty, and staff prior to or upon arrival and retesting 7-14 days after arrival or upon development of symptoms. (*Reopening New York: Higher Education Guidelines*)

Other respondents reported **concerns over social/physical distancing logistics on their campuses, issues with cleaning, disinfection and ventilation, and concerns about employees and students needing to take public transportation to campus**, thus increasing risk of exposure and transmission of COVID-19. In some cases, campus authorities appear to be in denial about the measures necessary to ensure safe in-person education:

"Inadequate safety precautions on campus - our hallways do not provide enough space to socially distance, yet our administration's response was to 'walk quickly'."

"My institution is allowing for student singers and woodwind players to practice in indoor shared practice spaces without masks."

NYS reopening guidelines include specific and fairly strict mandatory guidelines for physical distancing, protective equipment, and hygiene, cleaning, and disinfection. (*Reopening New York: Higher Education Guidelines*)

While not raised by respondents to this survey, we have received inquiries as to **whether employees and students can be required to sign liability waivers before returning to campus**. We recommend against signing such waivers.

Faculty do not assume the risk by showing up to teach in a pandemic. Under the NY workers' compensation law if an employee is injured or made ill by conditions at the workplace s/he has a right to workers' compensation and that cannot be waived. The problem might be that it would be difficult to prove where someone contracted Covid-19—labor groups are lobbying the comp board to apply the law very broadly with a lower standard of proof.

Our members might find this column by a Georgetown University law professor useful:

[Op-Ed: Your college may ask you to sign a waiver for harm inflicted by COVID-19. Don't do it](#)

Educational Delivery

Our respondents raised a host of issues related to the effects of COVID-19 and campus responses on educational delivery. While some raised the issue in general terms, i.e. concern for "continued excellence in academic offerings," others were more specific.

The largest set of concerns concerned **issues of faculty and student choice in how they teach and learn** (i.e. the modality of teaching – online, hybrid, face-to-face, remote). This set of concerns raises issues of safety and also problems with shared governance on campus. Faculty also expressed concerns about the lack of resources for teaching (both online and face-to-face), and student needs not being met with new modalities as well as students being negatively impacted by rising costs during the crisis.

58% of respondents reported that faculty members could opt out of on-campus instruction if they felt uncomfortable returning because of health and safety conditions, while 23% reported faculty on their campuses were unable to opt-out of on-campus instruction and 22% did not know whether the option was available. It is also noteworthy that when asked if faculty were able to make decisions about teaching remotely without fear of reprisal, only 35% responded "yes," while 19% replied "no" and close to half, 45% responded "don't know."

Some institutions are allowing students to choose an online/remote option but requiring faculty to return to campus. Other institutions are also requiring students to return to campus for instruction and one respondent reported that "Faculty have been told we are not allowed to grant accommodation to students who request online instruction forcing students to come to campus even if they are not comfortable doing so." Some institutions have honored faculty preferences for the modality of

teaching—a few respondents reported that when preferences for teaching modality were solicited by their administrations in May and June it was indicated that choices were not binding, however faculty were later told they would not be able to change from their initial choice.

The majority of concerns were raised by faculty who were on campuses requiring faculty to return to face-to-face instruction unless they fell under CDC guidelines and provided documentation. These concerns are reflected well in the following response:

“While students are given a choice to take their classes on-ground or online, faculty are not given a choice or option of working remotely unless they have clear medical documentation that is approved by HR, this is problematic for people who might not want to share their medical conditions in such detail, or for faculty who has family members who are high risk, or for faculty who have family responsibilities making it difficult to teach on-ground.”

The ADA applies to anyone who is at high risk of contracting Covid-19 because of the medical conditions identified by the CDC and is therefore entitled to a reasonable accommodation. The only risk factor that is not covered by the ADA is age – because that is not a medical condition. While two-thirds of respondents reported they had been informed by their administrations about submitting a reasonable accommodations request, disturbingly, 16% reported not having received such communication and 22% did not know if they had. The [Job Accommodation Network](#) and the [Law and the Workplace](#) blog have good information on reasonable accommodations that must be granted by employers.

Several respondents indicated that some faculty and staff had the choice to work remotely, while others had been required to return to campus. **In particular it seems graduate and part-time instructors have been given less choice in how they teach than tenure-track and tenured faculty.**

Finally, some respondents raised the concern that faculty preferences were being ignored by administrators, indicating **a lack of shared governance in an area (modality of teaching) where AAUP principles clearly state faculty should have the primary voice**¹:

“The overwhelming majority of teachers at XXX College have notified the administration that they do not want to return to any in school teaching in September. We are being ignored.”

¹ “When an educational goal has been established, it becomes the responsibility primarily of the faculty to determine the appropriate curriculum and procedures of student instruction.” (AAUP [Statement on Government of Colleges and Universities](#))

Respondents also expressed **concern over a lack of resources for quality delivery of both remote and face-to-face instruction**. One respondent indicated:

“the administration has not been clear about what is expected of faculty in terms of teaching in the fall, nor have they made it clear what resources will be made available and when including microphones, recording software, captioning software, etc.”

While another noted:

“Contingent faculty who have taught at our institution for decades were laid off without any support; full-time faculty have been forced to teach classes that have way too many students online (without an uniform training), thus weakening our educational support of students.”

Finally, respondents expressed **serious concerns about student needs not being met**, including concerns about “making students feel safe” and “the dilution of the college experience for first generation college students especially: the human contact and all that is learned beyond content delivery in the remote environment.” Concerns were also raised about **the impacts on students in marginalized groups and increasing inequality in higher education**:

“They raised tuition and a student mental health fee in the middle of a pandemic when most of our students are from families earning under 30K a year with huge losses of lives, illness & jobs as most are Latinx/Black. Systemic White Supremacy.”

Financial Impacts

Clearly the safety and educational delivery issues just outlined are tied to the financial impacts of the pandemic on institutions of higher education. Faculty report that institutions that are going back to in-person instruction are doing so because they fear loss of revenue from student room and board as well as students not willing to pay full price for online instruction. Faculty at institutions that are going all or mostly online report a lack of resources to adequately do so.

Interestingly only around 13% of respondents listed issues related to financial impacts as their top three issues. A handful of respondents specifically reported that salaries and benefits had been cut (or may be cut if certain revenue targets aren't met) at their institutions. Others are afraid of future fallout if enrollments and revenues drop and are concerned about the **lack of transparency** on the part of administrators:

"We are in effects bargaining right now and the admin is basically refusing to answer our information requests by giving us bad answers, incomplete answers, or just wrong answers. It's not worth trying to go to court over because of the time and money it would take and given the current LMRDA, but it is incredibly frustrating that they are not fulfilling their legal duty to the union. I'm guessing other college administrations are doing similar things to avoid working with their unions."

"Information from the leadership comes down only in small amounts, and there is no discussion with the faculty. We are in big financial difficulties, but if decisions are made, they are made behind closed doors. We fear that one day something drastic will be announced, fiscal emergency, closing of departments, firing of faculty."

Such drastic measures have already been taken at [Canisius College](#), [Medaille College](#), and [Keuka College](#) where faculty handbooks have been abrogated, departments closed or gutted, and faculty (including tenured faculty) and long-time staff fired.

One of the most troubling elements is the inhumane manner in which long time faculty members have been dismissed. One respondent reported:

"Faculty are losing their jobs due to administrative decisions, some are tenured, some are not. In my area, administrators are handling this via cryptic emails, not even facing those they are firing."

Significantly about 20% of those reporting concerns about the fiscal impacts of the crisis, expressed concern that their administrations were using the crisis to justify cuts that had already been planned or that the crisis was being used to cover up for previous mismanagement. One respondent reported:

"The COVID crisis is used to mask other crises, which did not go away, but which now cannot be discussed anymore. E.g., we were a year in violation of middle states; our accreditation was renewed only after our president produced a (very optimistic) financing plan. All that is now hot air, nothing in the financing plan was achieved, some things turned out to be unrealistic even before COVID. Once COVID is past, those issues will come back even worse."

Another issue raised by CUNY faculty members is that the administration "fired 2800 of our faculty while holding on to the CARES money for later."

To date, we are unaware of any institution of higher education in NYS properly documenting a situation on financial exigency that would justify the firing of tenured faculty and the cancelling of academic programs.

[The National AAUP has provided a number excellent resources for members and chapters who are dealing with administration and governing board claims of financial crisis as a justification for retrenchment.](#)

Our members and their colleagues who have lost employment due to pandemic-related issues may find this NYS Department of Labor guidance on [Pandemic Unemployment Assistance](#) useful. The CARES Act created special categories of people entitled to pandemic unemployment assistance, even when not losing their job. For example, those with Covid diagnosis or who care for someone with a Covid diagnosis or primary caretaker of a child whose school is closed because of Covid are eligible for pandemic unemployment assistance. Employees who can work remotely are not eligible. (See the DOL website for a list of those eligible.)

COVID-19 and the Future of Higher Education in NYS

“Thanks for asking. It’s the fight of our lives on multiple levels.”

Higher education in New York State and the entire country will be reshaped in the next five years. **Faculty *must* have a voice in reshaping the educational missions of their institutions.** Unfortunately, our survey results indicate long-respected tenants of shared governance are being ignored at many institutions across the state.

In the open-ended questions many respondents noted that our question on decision-making related to the modality of teaching did not include an option to indicate faculty were not consulted. Others made the distinction between being consulted and being informed:

“Faculty were not consulted, but there was no option for this in the survey. Representative bodies were given options, but those options were decided upon by the administration without faculty input.”

“Our primary concern is that our administration has tended to act unilaterally in response to the crisis – increasing teaching loads, changing calendars, etc. Although some faculty committees have been consulted, it has mostly been in the form of informing them of what will happen.”

Another respondent noted that faculty representation was basically symbolic and fell short of AAUP standards²:

“My response to Q#6 might be a bit misleading. We did have faculty representation on a LARGE committee; but they were hand-picked to be supporters of administration and represent such a small number of faculty (and their concerns), that it was really "ineffective" faculty representation (i.e., nominal).”

Unfortunately, in some cases it appears faculty leaders have been complicit in the violation of shared governance standards:

“Faculty leaders have damaged faculty governance by cutting off access to key communication channels (e.g., faculty-wide email lists) and by acquiescing to administrative demands to circumvent or temporarily suspend faculty handbook procedures (e.g., regarding academic policies, changes to the academic calendar).”

This report began with an observation from one of our respondents on the failure of academic leadership in this crisis. It is worth repeating:

“Management in place of leadership and failure to observe standards of faculty governance/participation in decision making and problem solving: Faculty in elected committees and positions have been sidelined with ad hoc committees taking over all decision making without discussion or faculty approval of changes to curricular and governance structures.”

Unfortunately, in times of crisis college and university administrators tend to by-pass established structures for shared governance in order to be able to “manage” the situation. Faculty are often portrayed as, at best, being obstacles to necessary change and, at worst, part of the problem. **This narrative must be challenged.** As a 2007 AAUP report on [Hurricane Katrina and New Orleans Universities](#) highlighted:

“The imperative that affected faculties be consulted and assume a meaningful role in making critical judgments [in times of crisis] reflects more than the values of collegiality; given the centrality of university faculties in the mission of their institutions, their meaningful involvement in reviewing and approving measures that vitally affect the welfare of the institution (as well as their own) becomes truly essential.”

Put simply, higher education institutions in New York State and across the country will not be able to manage themselves out of this crisis. True leadership requires functioning shared governance on campus with a robust faculty voice in

² “Faculty representatives should be selected by the faculty according to procedures determined by the faculty” (AAUP [Statement on Government of Colleges and Universities](#))

shaping educational missions that will best serve *all* of our students, particularly the traditionally underserved and underrepresented.

Faculty must not passively stand by while our higher education system is managed to death, while we are pitted against each other—within our institutions and by buying into the zero sum logic of the managers that requires a survival of the fittest model and high stakes competition for students, justifying a race to the bottom in terms of resources for the educational missions of our institutions.

Appendix: Survey Results

Distributed to members: 7/29/2020

Survey closed: 8/7/2020

Total Responses: 191

QUESTIONS (13)

1. Which of the following best describes your primary teaching role at your institution?

Faculty at 4-year institution (64.92%) – 124 respondents
Faculty at graduate university (15.71%) – 30 respondents
Faculty at community college (6.28%) – 12 respondents
Adjunct/contingent faculty (6.81%) – 13 respondents
Academic administrator (e.g. dean/provost) (1.05%) – 2 respondents
Other (5.24%) – 10 respondents (no one specified their role – error in SM ? set-up)

2. Which of the following best describes your institution?

Small/Private (53.40%) – 102 respondents
Large/Private (24.61%) – 47 respondents
Large/Public (17.28%) – 33 respondents
Small/Public (4.71%) – 9 respondents

3. “My campus is handling the COVID crisis responsibly and ethically.”

Strongly agree (15.71%)
Agree (26.70%)
Somewhat agree (23.56%)
Neither agree or disagree (6.81%)
Somewhat disagree (10.47%)

Disagree (9.95%)
Strongly disagree (6.81%)

4. What do you consider to be the top three (3) COVID-related issues/concerns on your campus? Please list and give a brief explanation below. (178 responses – summarized in the report)

5. How are courses being taught on your campus? Check all that apply.

Hybrid (82.72%)
Online (76.96%)
F2F (62.30%)
Remote (54.97%)

6. How were/are decisions being made about the mode of delivery of instruction (e.g. online, hybrid, face-to-face, etc.)? Check all that apply.

Faculty were/are actively involved in the decision(s) (29.94%)

There was/is a committee with representative faculty leadership, e.g. union, governance, etc. (66.67%)

Department chairs were/are being consulted (56.50%)

Individual faculty were/are consulted about their specific courses (53.11%)

Faculty were consulted and their recommendations were/are being followed (32.77%)

7. Were faculty informed about submitting a Reasonable Accommodation Request?

Yes (62.11%)
No (15.79%)
Don't know (22.11%)

8. If a faculty member does not feel comfortable coming to campus because of health and safety conditions in the workplace, can that faculty member opt to teach remotely?

Yes (57.98%)
No (23.40%)
Don't know (18.62%)

9. Are faculty on your campus able to make these decisions without fear of reprisal?

Yes (35.45%)
No (19.05%)
Don't know (45.50%)

10. Do you have an AAUP Chapter on your campus?

Yes (Advocacy) (44.74%)
Yes (CB) (31.58%)
No (11.58%)
Don't know (12.11%)

11. What can the NYSC AAUP do for you to help with these issues and concerns? Note that we are happy to help individual members start chapters on their campuses, particular if there is a need to address the way the administration is handling the COVID crisis? (112 responses - summarized in the report)

12. Is there anything else you would like to share or think we/others need to know? (83 responses – summarized in report)