

Date: 21 March 2012

Subject: Request for a Hold and Review of Action on the Nuclear Science and Engineering Institute (NSEI)

Dear Chancellor Deaton,

As you are aware, the Provost announced on Monday 12 March 2012 that the Nuclear Science and Engineering Institute (NSEI) would be restructured effective Thursday 15 March 2012 (which has encompassed statements that NSEI no longer exists by some in the administration and removal of its website). The proposed elements of this restructuring are significant in that they will encompass and substantially affect the University and every aspect of the current NSEI operations, accreditation of its programs, and the NSEI students, staff, faculty, alumni and other stakeholders. The matter has been brought to our attention by the NSEI faculty and, since it clearly involves issues of faculty shared governance, we request that a hold be placed on the proposed restructuring until all issues relating to the shared governance have been resolved, and a transition plan in consultation with the students and the faculty and others affected has been developed.

We specifically wish to bring to your attention the following observations from Professor Wilson Watt:

"It seems to me we are seeing, at minimum, a foreshortening of respect for the Collected Rules and Regulations with regard to appropriate recognition of governance issues on the campus. We have "primary and direct authority in matters directly affecting the educational program..." [CRR 300.010 C.3.a].

Any reorganization of a program or department will have some affect on the delivery of the "educational program" and to that extent the Provost should be providing a clear evidence trail of the interaction with the Faculty Council and/or representatives of that body and with the faculty of the NSEI as the primary faculty with the task of carrying out on a daily basis the "primary and direct authority" of the faculty.

The Faculty Council or appointees of that body should have been involved under CRR 300.010 Section F.

Without such evidence, it is arguable that the CRR has been violated by the announcement of a completed decision to reorganization the NSEI.

Although I am not an attorney and thus cannot be sure of my "legal" reading of the CRR, the language is not that complex.

I think that the NSEI faculty would be within their governance rights to request a review of this decision by a committee of or appointed by the Faculty Council and the Chancellor's Office to ensure that no violation of "primary and direct authority" has occurred."

We share fully the views expressed by Prof. Watt, and request that the completed decision be placed on hold, and preservation of the NSEI as prior to the actions of March 12. We also recommend strongly a review of this decision by a committee of or appointed by the Faculty

Council and the Chancellor's Office to ensure that no violation of "primary and direct authority" has occurred.

Sincerely

(Exec Committee of the AAUP MU Chapter)

Cc: Tim Wolfe, President of the University
Brian Foster, Provost of the Columbia Campus
George Justice, Dean of Graduate School
Harry Tyrer, Chair of MU Faculty Council
Steve Owens, General Counsel of the University
Mark A. Prelas, Professor and Director of Research, NSEI
Sudarshan K. Loyalka, Curators' Professor and Director of PSRC, NSEI
Tushar K Ghosh, Professor and Director of Graduate Studies, NSEI
Robert V. Tompson, Jr., Professor, NSEI