



Scott S. Cowen
President of the University

May 30, 2006

B. Robert Kreiser
Associate Secretary
American Association of University Professors
1012 Fourteenth Street, N.W.
Washington, D.C. 20005-3465

Dear Dr. Kreiser:

This letter responds to the two issues your May 10 letter addressed.

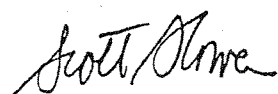
First, your characterization of a statement President Cowen made to Secretary Bowen last fall is not consistent with President Cowen's recollection of the discussion. The University's position, reiterated by President Cowen and others repeatedly since last fall, has been to follow its Faculty Handbook. As you know, the Handbook incorporates some but not all of AAUP's pronouncements. Thus, although the Handbook does not, for example, provide for the type of hearing that AAUP wants for faculty members terminated as a result of financial exigency, all such faculty members are being afforded an opportunity for faculty review of their terminations, as provided in the Handbook, and the University is supplying financial information and other documents and making senior administrators available to inform the Faculty Tenure, Freedom and Responsibility committee's review of the declaration of financial exigency.

Second, the Faculty Handbook does not require the University to attempt to place faculty terminated by reason of financial exigency in other available positions. A sentence in the Handbook regarding placement of faculty, cited by some faculty members, when read in the context of the several sentences that precede it, does not apply under financial exigency. Nonetheless, the University intends to consider terminated faculty members for any open positions in which they express interest if they are qualified. The situation in New Orleans following Hurricane Katrina is such that there is a dearth of open positions for faculty in the School of Medicine. As to faculty in our other Schools who received notices of termination based on financial exigency, they remain employed at Tulane and their terminations do not become effective until June 2007. It is not yet fully known what positions may become available before then or in what positions terminated faculty members may be interested.

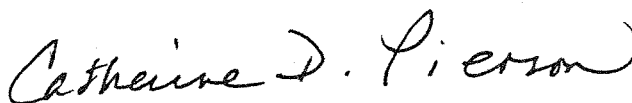
May 30, 2006
Page Two

The Grievance Committee of the School of Medicine recently reviewed the appeal of a faculty member terminated as a result of financial exigency. The Committee concluded that the dismissal "was carried out in a manner consistent with procedures outlined in the Faculty Handbook within the scope of this review." After reviewing financial and other information, the Committee found that the University faces "extreme financial exigency," which the Committee believed "will continue for the next two years, whether or not reimbursements from insurance or federal (FEMA) disaster grants are received." In response to the faculty member's reference to an AAUP pronouncement regarding the availability of other positions, the Committee concluded: "When a single faculty member's or small group's positions are terminated, there would be a reasonable expectation that other positions in the University might be available. Because so many other positions were terminated Post-Katrina, there were no other 'suitable positions.'" The Committee declined, consistent with its reading of the Faculty Handbook, "to evaluate the establishment and implementation of criteria for dismissal of programs and/or faculty," including dismissal of tenured rather than non-tenured faculty, and concluded in regard to these matters that "due process had been initiated and is being carried out in a manner consistent with the Faculty Handbook."

Sincerely,



Scott S. Cowen
President



Catherine D. Pierson
Chair, Board of Tulane

SSC/bd