



**University of
Houston**

Faculty Senate
Houston, Texas 77204-2173
713.749.2817

Dr Alex Schilt, Chancellor
University of Houston System
1600 Smith, Suite 3400
Houston, TX 77002

1 Nov., 1990

Dear Alex,

The enclosed resolutions regarding the Downs Case were passed by the full Faculty Senate of the University of Houston over the past two weeks. I have previously communicated each of them to you either by fax or in person but I would like to formally submit them to you for your files. The first resolution dated Oct. 17 was passed unanimously by those in attendance. The second resolution also passed unanimously at a special meeting of the Senate on Oct. 22 called to discuss the Downs Case. The third resolution dated Oct. 22 passed with a significant majority and expresses our concern regarding Dr Stauffer's actions in the matter.

Yours sincerely,

Stuart A. Hall
President, Faculty Senate

cc: Dr Marguerite Ross Barnett, President
Dr Robert L. Lineberry, Senior Vice-President

RESOLUTION, 10-17-90

While the Faculty Senate of the University of Houston welcomes Chancellor Schilt's assurances that the UH System supports the principle of shared governance, we do not believe such support is reflected in the dismissal of Professor Chris Downs from UH-Clear Lake.

In what was essentially a dispute of fact between a professor and his student, Chancellor Schilt maintains that it was "reasonable" for President Stauffer to conclude that a "preponderance of evidence" favored the student, even though the university's faculty grievance committee unanimously found no grounds for any action. Given that the professor's reputation and perhaps his livelihood were at stake, this is not an acceptable conclusion.

As reasons for rejecting the findings of the grievance committee President Stauffer stated only that he had concluded that Professor Downs was guilty of "gross professional misconduct." Since this is not a reason but merely a statement of the charge, it is inappropriate for the Chancellor to support a university president in such circumstances.

Chancellor Schilt acknowledges an obligation to deal only with the process while ignoring the content of the case. While this posture properly recognizes the autonomy of universities within the System, it does not fulfill the spirit of shared governance in a case where a president reverses the judgment of a duly constituted faculty committee and dismisses a tenured professor.

This sequence of events poses a grave danger for every professor in the UH System, raises obstacles to recruiting at a time of intense competition for quality faculty, and creates a poor public image of the university.

In light of these considerations, the Faculty Senate strongly condemns the action of President Stauffer in recommending Professor Downs' dismissal without providing the required explanation. It further deplores the failure of Chancellor Schilt to conduct a full and impartial review of the evidence supporting that recommendation.

In order to prevent any repetition of this failure, the Senate proposes that a policy be established providing for a System-level faculty-administration review of the substance and procedures of any case in which a university president recommends dismissal of a professor against the judgment of that university's faculty grievance committee. We invite Chancellor Schilt to work with the faculty senates of the four universities of the UH System in devising a mutually satisfactory policy.

University of Houston Faculty Senate**Resolution****October 22, 1990**

Whereas, the handling of the Professor Chris Downs case by
President Stauffer violates the principle of shared
governance, and

Whereas, there is a serious question of violation of due process
in this matter, and

Whereas, the UHCLC Faculty Grievance Committee reached a
unanimous decision after hearing the evidence and assessing
the credibility of all of the witnesses, and

Whereas, substantive and sufficient reasons were not given to
justify opposing the Committee's conclusion,

Therefore the University of Houston Faculty Senate asks the
Chancellor to urge the Board of Regents to reinstate Dr.
Downs pending a full review and resolution of the issues of
this case.



**University of
Houston**

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713.749.2617

No. 3

**FACULTY SENATE RESOLUTION
(passed October 22, 1990)**

**"The Faculty Senate of the University of Houston declares
Dr. Thomas M. Stauffer to be persona non grata, and will have no
dealings with him as a representative of the University of Houston
at Clear Lake."**