

Open Letter to the Faculty of the UW-System in Regard to RPD 6-4 and its Implementation at UW-W

On March 12, 2019, the UW-Whitewater Faculty Senate voted that its representatives issue an open letter to make public the problems inherent in the search and screen process, especially regarding a noted refusal to respond to its official actions.

Summary:

The following letter documents the manifold ways in which the implementation of RPD 6-4 at UW-Whitewater effectively eliminates meaningful input from the Faculty as a governance body, especially in its area of primary responsibility for academics and curriculum, by transferring authority away from a majority-faculty committee with broad local representation from all constituencies to five Regents in consultation with the UWS and BoR presidents. After a summary of the concerns raised by faculty unions since the approval of RPD 6-4 by the UWS Board of Regents in 2015, an extensive—although by no means exhaustive—catalogue of refusals to respond to official Faculty actions aimed at restoring the voice of the Faculty in the selection of its chancellor demonstrates the indifference of these authorities to the will of the Faculty. Indeed, other examples not mentioned here, from the wording of the advertised chancellor position description to the scheduling of listening sessions without regard to the teaching schedules of faculty, have followed the same pattern: reasonable requests for more time, representation, and transparency followed by silence or terse non-answers. The weight of the evidence documented here at length indicates the extent to which the policy and its implementation intentionally marginalize the Faculty, as well as its concerns for the quality of academic instruction, to the detriment of the institution and the people of Wisconsin.

RPD 6-4 – A Flawed Policy

The announcement of the finalists selected by the UW-Wisconsin Board of Regents Special Search Committee, itself selected by the UW-President in consultation with the UWS Board of Regents President, declares that “the Special Regent Committee, chaired by Regent Tracey Klein, includes Regents Mike Jones, Regina Millner, Janice Mueller, and Drew Petersen. They will recommend one candidate to the full Board of Regents, which **must approve** the appointment” (emphasis added, April 30, 2019). The policy, which transfers the authority to select the pool of finalists from a local committee, comprised of a majority of faculty, to a small BoR Special Search Committee, is troubling. In a joint statement issued in October 23, 2017, after further changes were made to its administrative hiring policy, the AFT-WI Higher Education Council and the AAUP issued a [statement](#) in which it observed that “Troublingly, the new search procedures put virtually the entire process of hiring new ‘campus CEOs’ in the hands of

the very regents who seek to undermine the public obligation of the university, with limited roles for other campus constituencies.”

As the first institution to have the dubious distinction of having this new RPD 6-4 imposed on us, UW-W has become a test case. And, we are a test case not only to the flaws with the policy itself but also to the question as to how the current administration intends to use it. It's bad news on both ends.

The transfer of power to this single governance group, the Board of Regents, and away from the faculty reduces the importance of academics and threatens to erode the academic quality of the university. The longstanding practices that were overturned with the novel policy of RPD 6-4 were put in place in order to get the best chancellor possible, which according to academic tradition must have the confidence of both the faculty and the board. As the foundational 1966 [Statement on the Government of Colleges & Universities](#) specifies,

Joint effort of a most critical kind must be taken when an institution chooses a new president. The selection of a chief administrative officer should follow upon a cooperative search by the governing board and the faculty, taking into consideration the opinions of others who are appropriately interested. The president should be equally qualified to serve both as the executive officer of the governing board and as the chief academic officer of the institution and the faculty. The president's dual role requires an ability to interpret to board and faculty the educational views and concepts of institutional government of the other. The president should have the confidence of the board and the faculty.

RPD 6-4 at UW-W -- A Refusal to Consult

Rushed Timeline and Calendar without Consideration of Faculty Consultation

Unfortunately, the policy has been implemented in a manner that seems indifferent to faculty consultation and to official actions of the faculty. The timeline is unnecessarily rushed, making it one of the fastest searches in UW-System history, and the calendar prepared by UWS has been made without incorporating the established meeting times of the Faculty, including the UW-W Faculty Senate, the UW-W Faculty Senate Executive Committee, or even the Spring Faculty Meeting. The calendar provided by UW-System had the Board of Regents meetings on it, but made no record of any of the established faculty governance meetings. Faculty have had to request responses from the Board of Regents Search Committee Chair or UWS President in an attempt to allow for meaningful consultation of the elected bodies of the faculty, but as the list below details responses were rarely given.

Example: The most recent and glaring example of this failure to accommodate the faculty's established governance dates is the schedule of the chancellor's finalists, with one being scheduled May 7th on the day of the final Faculty Senate meeting, the one which requires attendance from the outgoing *and* incoming FS. The governance

meeting for that day remains at the same time slot that conflicts with this meeting, making it impossible for the elected representatives of the faculty to attend.

Advice of Faculty Ignored

If the schedule has been created in such a way as to preclude meaningful faculty consultation, or even faculty participation, the policy has been implemented with little to no regard for faculty advice. Below is a list of the official actions taken by the UW–Whitewater Faculty Senate (FS) or the Faculty Senate Executive Committee (FSEC), and the response (or non-response). In many cases, the official action is ignored altogether, in other cases acknowledged with an informal email, and only once responded to in anything that can be said to approximate an official response. In other words, the process proceeds apace without regard to the advice of the faculty.

Formal Advice #1: Meaningful consultation of the faculty is necessary for the selection of its candidates. Thus, the faculty advised to **extend the deadline for selecting faculty representatives to the chancellor search & screen committee from the first week of January to the first week of the Spring 2019 semester, to ensure the full participation of faculty**

- 12.18.18 FSEC to UW System President Ray Cross
- 12.21.18 and 01.04.19 to President Cross via e-mail
- 1.04.18 Response from President Cross: Given the importance of this position to the UW-Whitewater campus community, we built our timeline to ensure this search process is completed prior to the end of the academic year. I know this puts pressure on faculty given the many demands on faculty members' time. I recognize and understand your concerns. However, I respectfully submit that we are better served preserving as much time for vetting candidates who apply for the chancellorship instead of delaying the selection of who will serve on the committee. Faculty members serve on searches year-round and I am confident we will be able to find at least two well-qualified faculty members for this search by January 11, 2019. Again, by avoiding a delay on committee selection, we will preserve more time for applicant recruitment and review.
- **1.08.19 FSEC Resolution 1819-01:**
As the FSEC stated during a December 18, 2018 meeting and as UW-W Faculty Senate Chair Simmons stated by email on January 4, 2019, **the faculty requires a deadline of January 25, 2019 for the selection of the chancellor search and screen committee.** This date of the Friday of the first week of classes is already a rushed one, but will at least permit more active participation of the faculty, many of whom are pursuing their duties off-campus until classes resume on Tuesday, January 22, 2019. It will also allow the FSEC to fulfill its statutory obligation to select its own representatives, which is a responsibility we take very seriously as the elected representatives of the UW-W Faculty Senate and of the faculty at large.
- *No response.*

Formal Advice #2: The two faculty voting members of the search & screen committee should be chosen by the faculty, using its own method.

- 12.27.18 Faculty survey for nominations and feedback on chancellor qualifications distributed to all faculty.
- 01.08.18 FSEC meeting to discuss survey results. Request for additional time for more responses.
- 01.09.19 Response to informal request from President Cross via e-mail:
I will postpone the closing date for receiving nominations and recommendations for the two faculty members on the Search and Screen Committee to **5:00PM, Friday, January 18, 2019**. I will announce the full committee membership on Tuesday, January 22, 2019.
- 01.18.19 President Cross names faculty representatives from the UW System nomination form, and not the faculty's. Cross confirms that the Board of Regents changed the rules of RPD 6-4 to allow a non-voting faculty member to represent the Rock County campus.

Formal Advice #3: All of the UW–Whitewater Colleges should have representation on the search & screen committee, even as non-voting members.

- 01.22.19 Formal transmittal of **FSEC Resolution 1819-02**
Resolution: The committee should include additional faculty representatives from those colleges not represented by the two selected representatives. We believe that these members should be voting members, but if RPD 6-4 is interpreted to exclude these members from voting, then they should be included as nonvoting members.
- 01.27.19 Renewed request for direct communication and formal response to FSEC 1819-02.
- 02.13.19 Second transmittal and request for formal response to FSEC 1819-02 after discussion at the FS during its 02.12.19 meeting
- 02.22.19 Third transmittal and request for formal response to FSEC 1819-02 after discussion at 02.19.19 Spring Faculty Meeting.
- 03.10.19 Response from Regent Klein:
Thank you for the Faculty Senate's motion requesting that non-voting members from the College of Education & Professional Studies and the College of Arts and Communication be added to the Chancellor Search and Screen Committee. I have discussed this request with Regent President Behling and after careful consideration including the size of the Committee, he has declined the Faculty Senate's request to add these two non-voting members. I know this is a disappointment but I pledge to you that I and members of the Search and Screen Committee are committed to selecting a Chancellor who will continue the fine tradition of excellence that is UW-Whitewater.
- After discussion on the floor during its meeting of 03.12.19 in which it was decided that further clarification was needed, a request for clarification was sent on 03.18.19 about why RPD 6-4 could be said to allow an exception for one college to have representation, but not for two others.
- *No further response.*

Formal Advice #4: Meetings of the Chancellor Search & Screen Committee and the Special Regent Committee should be transparent and communicate openly; faculty (and the public) should be provided dates, times, agendas and minutes for all such meetings.

- 01.15.19 Faculty Senate Chair requests direct communication from Regent Tracey Klein (Regent Chair of both committees), rather than through Human Resources (*no direct communication was ever established*)
- 01.15.19 The following were requested from President Cross:
 1. Position description (i.e. template) and institutional profile
 2. Confirmation of timeline for position description and advertisement in *The Chronicle of Higher Education* and elsewhere
 3. A timeline for the entire search process with dates of significant events.
 4. More structured details (and consultation)—including minutes—regarding campus-scheduled meetings, especially those involving faculty.
 5. Composition of the Special Regent Committee
- 01.28.19 Chancellor Search & Screen Committee formally charged
- 02.12.19 First meeting the Faculty Senate of the Spring 2019 semester; President Cross in attendance.
- 02.19.19 Spring All-Faculty Meeting. The Faculty reiterate the need for transparency and open communication regarding chancellor search & screen activities.
- 02.22.19 First formal request for agendas and minutes.
- 02.27.19 Response from Klein with no minutes or agenda:
All, we must compile [sic] with open meetings/records law in all aspects of this search and we will do so.
- 03.18.19 Second request for agendas and minutes to Regent Klein following Faculty Senate motion passed 03.12.19
- 04.29.19 Final request for agendas and minutes to Regent Klein
- *No agendas, no minutes were ever provided.*

Formal Advice #5: An All-Faculty Listening Session should be added to the scheduled campus visits.

- 04.23.19. **FSEC Resolution 1819-03.** Passed April 23, 2019, requesting a one-hour listening session.
On behalf of the UW–Whitewater Faculty, the Faculty Senate Executive Committee hereby resolves that a one-hour faculty meeting with each finalist for UW–Whitewater chancellor, open to all faculty members, be added to the campus visit schedule. Given our limited voice and constituencies on the Chancellor Search & Screen Committee, and the tradition of a faculty forum, and given that faculty are primarily responsible for curriculum and academic matters, and have a tradition of shared governance, therefore the Faculty require a one-hour open forum for faculty.
- 04.26.19. FSEC 1819-03. Transmitted to Regent Chair Klein.
- *Indirect response. No meeting added.*

Commentary:

The preceding tells a sad story of the diminishment of faculty representation, and indeed, with it, a diminishment of attention to academics. Not only is the selection made entirely by a small

group of Board of Regents, but the candidates do not even have the opportunity to hear the Faculty's voice. The Faculty is reduced, therefore, into a body that has equal "opportunity" to relay its suggestions to the candidate, in a bureaucratic process managed by the consultant firm hired by the Board of Regents. If it is limited in terms of authority -- no longer having the power to work with its local groups to select the best candidates for the campus, it is also limited in terms of time (access). The faculty asked for a one-hour session that could have been easily accommodated by simply reducing the time given to upper-administration.

Marginalization of Faculty and Academics

The last request indicates the degree to which the faculty -- and thus academics, its area of primary responsibility -- has been marginalized in the selection process. In almost every measure, the faculty have been marginalized, and our voice and expertise ignored. The final recommendation -- to add an one-hour listening session -- perhaps best exemplifies the failure of this policy and its implementation at UW-W. The Faculty requested a one-hour session to compensate for many of the problems in the process, including the absence of any representation from two colleges and thus the disciplines they represent. As it stands, there are two hours of open forums on each campus for all campus members to attend, and one 45-minute session for 2-3 representatives from each governance committee (Student Government, Academic Staff Assembly, University Staff Council, and Faculty Senate) to attend. At best, the UW-Whitewater Faculty will have **about 15** minutes to ask each Finalist questions and that represents **15 minutes** allotted for discussions regarding the faculty's area of primary area of responsibility -- academic matters -- by the experts who have been entrusted with the duty and responsibility over this essential area of the university.

The message is clear that meaningful campus input during the selection of the next UW-Whitewater Chancellor is not valued or wanted by UW-System or the Board of Regents. And to add to the campuses' frustrations, the recent announcement that Interim Chancellor Green is a finalist has come as some shock to many in the UW-W community because UWS President had said in the announcement of her appointment that she was prohibited from applying. This is just one other way in which Faculty have not been consulted, and in which a lack of consultation and deliberation from all campus representatives leads to chaos. The perception that UW-System President Cross is "making up rules as he goes" elevates concerns that the selection of UW-Whitewater's next Chancellor is actually in the hands of one or two people and not the broader body of UW-Whitewater students, staff, faculty, alumni, and local community members.