



Faculty Senate

Voting Item: PASSED

Formalizing the General Education course approval process

For any course which is either a new course or an existing course being proposed for general education, or an existing general education course that is being modified, the process is:

Proposer → Department → Dept Chair → TEC (if necessary) → College Curriculum Committee → Dean → General Education Committee → UCC → Provost.

Note that the UCC must have a super-majority (2/3s) in order to reject a proposal that the GEC has approved.



Faculty Senate

Benefits Committee Voting Item: PASSED

Faculty Handbook Change; Summer Fellowship

5-APR-2017 draft, MOZ

Background

The Summer Fellowship Award is one of three Faculty Development Programs available to support faculty at NKU. It provides funds to support a faculty member's professional development during the summer months. The Faculty Handbook specifies clearly that recipients of the award on a fiscal year contract receive 100 percent reassigned time for two months during the summer. For recipients on academic year contracts, the Handbook specifies that the fellowship starts on the Monday following spring commencement but does not otherwise define the duration of the fellowship.

Without a clearly defined duration of the fellowship for faculty on academic year contracts, one may reasonably interpret that the term extends over the entire summer, which is roughly 5 weeks longer than the well-defined two-month term for faculty on fiscal year contracts. Such an interpretation would lead to a sizeable imbalance in expectations for faculty on fiscal year versus academic year contracts.

The question of fellowship duration is especially important in the context of one of the award conditions: that recipients may not perform paid duties, including teaching, during the term of the fellowship. For faculty on academic year contracts, two-months versus two-months-plus-5-weeks makes a large difference. For example, the two-month-plus-5-week interpretation would make faulty who teach a 3-week May intersession course ineligible for a summer fellowship. There are some study-abroad and study-away courses that only are offered during this time frame, and it arguably is unfair to ask faculty to make a choice between applying for a summer fellowship and leading an intersession course that students likely would not otherwise have an opportunity to take without the faculty member's participation.

Recommendation

In order to address the potential imbalance (depending on interpretation) in duration of fellowships for faculty on academic year versus fiscal year contract and to allow faculty members on academic year contract limited opportunity for additional paid duties during the summer, The Faculty Senate Benefits Committee recommends some modifications to sections 11.2.3-11.2.6 of the Faculty Handbook.

The most substantial change is the addition of a section to define clearly that the term of the Summer Fellowship is two months and not the whole summer. The main purpose is to establish the time-window during which faculty may not receive pay for teaching or other university duties. To accommodate this change, subsequent sections will need to be renumbered and currently numbered section 11.2.6, which specifies the start of the fellowship, will be removed.

An additional change to the Handbook is recommended to currently-numbered section 11.2.4 in order to allow recipients on academic year contracts to receive small stipends for very limited and isolated participation in service activities such as summer orientation/advising events or 2- to 3-hour contributions to a summer camp or two.



Lastly, a change to previously numbered section 11.2.3 is needed to include the explanation of pay for recipients on academic year contracts, which currently is located in the to-be-removed section 11.2.6.

Specific changes to the relevant sections of the Faculty Handbook (11.2.3-11.2.6) are shown below with additions underlined in red and relocated text in blue italics.

11.2.3. TERM OF THE FELLOWSHIP

The duration of the summer fellowship is two months, usually between June 1 and July 31. The time window may be shifted so that it starts as early as the Monday following spring commencement or ends as late as two Fridays before the start of fall classes.

11.2.34. STIPEND OR REASSIGNED TIME

All recipients on an academic-year contract will receive the same stipend in a given summer. Each year the provost, after consultation with the Faculty Benefits Committee, will announce the exact amount of the stipend for faculty summer fellowships prior to the application deadline.

Recipients on academic year contracts will receive 90 percent of their stipends near the beginning of the term of the fellowship, normally during the first week in June. The remainder of the stipend will be paid only after the reporting requirements have been completed.

All recipients who are on a fiscal-year contract will receive 100 percent reassigned time for two months during the summer of the fellowship in addition to accrued vacation time. They shall continue to receive their regular salary during this reassigned time.

11.2.45. CONDITIONS

Faculty summer fellowships are not awarded to enable faculty to complete degree requirements.

Recipients of faculty summer fellowships will not teach any summer courses or perform any other paid duties for the University during the term of the fellowship. Exception: a recipient on academic year contract may take part in isolated service activities for which he/she receives a small stipend such as assisting with summer advising sessions or contributing a few hours to a summer camp provided that the recipient extends the duration of the fellowship by one day for each extra service activity and receives confirmation in advance from the chair of the Benefits Committee.

Recipients of faculty summer fellowships must agree to return to the University for a minimum of one academic year following the fellowship or to repay the University the full amount of the fellowship stipend.

Recipients of faculty summer fellowships must comply with the University's outside-activity guidelines during the term of the fellowship.

In addition to the fellowship-reassigned time, a recipient on a fiscal-year contract is entitled to one month of vacation between mid-May and mid-August.

If, between the awarding of a fellowship and the funding or beginning of the fellowship, intervening circumstances prevent the recipient from fulfilling the terms of the fellowship or the University from funding the fellowship, the University is not obligated to fund the fellowship.



11.2.56. REPORTING

No later than September 1, the faculty member shall submit a report summarizing what she/he accomplished on the faculty summer fellowship to the Office of the Provost. The report should consist of an approximately 250-word abstract outlining the major accomplishments, a one to two page extended overview of the fellowship and a photo of the faculty member or of their work appropriate for publication. The Office of the Provost will disseminate to the department chair (or other appropriate supervisor), to the dean of the faculty member's college, and to the chair of the Faculty Benefits Committee. A copy of the report will be placed in the faculty member's personnel file maintained in the Office of the Provost.

11.2.6. BEGINNING OF FELLOWSHIP

The beginning date for faculty summer fellowships is the Monday following spring commencement for recipients on academic year contracts. Recipients on academic year contracts will receive 90 percent of their stipends at the beginning of the summer sessions. (Note: Stipends are normally made available during the first week of June.) The remainder will not be paid until after the provost receives the final report, which should be no later than September 1.

MEMORANDUM

To: Faculty Senate

From: PCC

Re: NKU Early Childhood Center — Voting Item PASSED

Date: May 5, 2017

The NKU Early Childhood Center (ECC) operates on-campus as “a direct extension of the campus atmosphere -- student-centered and quality driven.” ECC is a not-for-profit organization whose “sole purpose is to provide an excellent child care program and environment for NKU students, staff, faculty, alumni and community members.”

To its detriment, in recent years the NKU Early Childhood Center has operated under conditions of financial and existential uncertainty. As a result, the Center has seen high turnover in staff, delays in filling vacant positions, increased fees, increased student-teacher ratios, loss of NAEYC accreditation due to lack of permission to renew, reduced flexibility, changes to admission policies, and the threat of closure. In addition, the process through which some changes were made was not inclusive or transparent.

Recently, NKU announced that it is once again reevaluating the future of ECC. In principal part, the stated reason for this decision is that the “university has subsidized the operations of the Center over the past five years, but that may no longer be possible in the future.” Accordingly, in connection with the present reevaluation, NKU has issued an RFP to seek an external partner for the ECC. While users have been assured that changes would not affect spring 2017 or summer programming, the future of ECC remains uncertain.

The ongoing uncertainty surrounding the ECC undermines the value of providing on-campus child care and does not support the stated mission, goals, and strategic plan of NKU. Specifically, such tumult undermines student success. It thereby creates tension with NKU’s stated goal to “provide a supportive, student-centered educational environment that promotes academic success, global awareness, and timely graduation” as well as other stated goals to “recruit, retain, and develop outstanding faculty and staff” and “expand and maintain facilities to meet the growing needs of the campus.” In explaining its decision, NKU has framed its support of the ECC as a burden to the university, rather than as a benefit that promotes student success, faculty and staff excellence, and gender equity. This perspective is shortsighted and sends the message that supporting students, staff, and faculty who are parents is not a priority for NKU.

As NKU evaluates the future of the ECC, we request that the process be inclusive and transparent, directly involving stakeholders (including current and past ECC families) in the decision making process. Specifically, we request the:

- (1) continuation of a child care facility on-campus that serves, at least, faculty and staff members and NKU students;
- (2) maintenance of a high standard of quality (e.g. NAEYC accreditation or equivalent);
- (3) continuation of placement opportunities for early childhood education program teacher candidates for field work and course projects;
- (4) continuation of student employment opportunities; and
- (5) maintenance of subsidies for NKU students who use the facility.

We also encourage NKU to explore options that increase child care options on campus (*e.g.* by accepting students younger than one year of age). Moreover, in calculating the true cost to NKU of ECC's operation, the university should take account of (and seek to quantify) the corresponding and off-setting benefits that may accrue from staff and faculty retention and job satisfaction, as well as from student retention.

NKU's enthusiastic support of the ECC is an opportunity for NKU to demonstrate its commitment to student success, gender equity, and a more progressive work-family environment for faculty and staff.

PRESIDENTIAL SEARCH PROCESS
Draft Recommendation of the NKU
Faculty Faculty Senate Voting Item 05-05-2017
PASSED

Sections B & B.2 of the Statement of Collegial Governance at NKU state that “good faith consultation” with “the Faculty Senate and its committees” are “routine” in the selection of NKU’s President. In its capacity as the official representative body of the General Faculty of Northern Kentucky University and in the expectation that “faculty opinion in these matters should be strongly considered,” the Faculty Senate offers the following recommendations to the Presidential search committee and the NKU Board of Regents.

In order to promote transparency and accountability at Northern Kentucky University and;

to facilitate the success of the new president;

to foster positive relations between faculty and administration and promote mutual respect;

to observe written and established norms of shared governance at NKU;

to enable both the campus community and the presidential candidate to determine each other's suitability;

to ensure that the new president is qualified to be appointed to the faculty of a college within the university with a grant of tenure and to serve as chief academic officer of the institution and the faculty;

and to create a welcoming environment for the new President;

the General Faculty of Northern Kentucky University respectfully recommends that three or more Presidential search finalists be brought to campus for open public meetings with the faculty and other campus constituencies, during the academic year, and before any offer of employment is extended.

[FACULTY SENATE DRAFT – NOT VOTED OR ADOPTED]

COLLEGIAL GOVERNANCE AT NKU (excerpts)

B. THE ROLE OF FACULTY BODIES IN THE COLLEGIAL SYSTEM:

"Faculty bodies" are defined as the collective members with faculty rank of an academic unit (such as) Department and College faculties, the Senate and its committees, and department and college faculty committees. As participants in the collegial system of university governance, all faculty bodies are obligated to make decisions and/or recommendations for the good of the university.

2. Activities fundamentally affecting academic programs:

Good faith consultation with faculty bodies is routine in the following matters. Faculty opinion in these matters should be strongly considered.

-Selection of the President and Executive Officers

NKU FACULTY SENATE CONSTITUTION (excerpt)

ARTICLE I. FUNCTIONS AND PURPOSES

A. The Faculty Senate is the official representative body of the General Faculty of Northern Kentucky University.

B. The purposes of the Faculty Senate are to:

- 1) Provide a forum for the faculty to propose policy or to discuss all matters relating to the well being of the University.
- 2) Allow the faculty to participate effectively in the enactment of university policies.
- 3) Provide efficient channels for the faculty to meet its obligations in implementing policies adopted by the Faculty Senate.
- 4) Conduct studies deemed essential to the progress of the University.
- 5) Evaluate university policies, programs, and practices and recommend such improvements as seem warranted.



Statement on Presidential Searches

In recent months at a number of colleges and universities across the country controversy has emerged over decisions by governing boards to conduct searches for new presidents or chancellors in secret, abandoning the previously standard practice of inviting a select group of finalists to visit the campus and meet publicly with faculty and other members of the campus community. The rationale for such secrecy is that open meetings discourage applications from highly qualified candidates, although no evidence has ever been offered to suggest that this is in fact the case.

AAUP policy statements make clear that such decisions to forgo public campus visits and public forums by finalists violate longstanding principles of shared governance. Shared governance helps ensure that universities and colleges serve the public interest. Serving this interest is why we have public universities and colleges and why we grant special tax status to nonprofit private universities and colleges.

As the Academic Senate at Sonoma State University has declared, "Forgoing announcing finalists' names publicly and scheduling official campus visits for them would be behavior more characteristic of a private corporation than a public university. Doing so would also mean a less transparent search process and less confidence in the outcome on the part of the university community and public. . . . Such visits give the university and public insight into finalists' knowledge of the campus and their ability to unify and lead the students, faculty, staff and administration. They also give finalists insight into the university community they aspire to lead."

Although governing boards have the legal responsibility for selection of a president, the process of selection is fundamental in determining which candidate has the most appropriate academic leadership and administrative skills needed to lead the institution. The 1966 Statement on Government of Colleges and Universities, formulated jointly by the AAUP, the American Council on Education, and the Association of Governing Boards of Universities and Colleges states:

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.

A 2013 report from the AAUP's Committee on College and University Governance entitled *Confidentiality and Faculty Representation in Academic Governance* declares:

Unless mandated to be open by state law, many such searches [for higher administrative officers] have an initial, confidential screening stage conducted by a search committee that includes faculty members. The next stage is normally one in which finalists are interviewed. At this point in the process, the names of finalists should be made public to the campus community so that the community at large, faculty committees, or at least selected faculty members have an opportunity to interview the finalists and forward their views to the search committee or to a consulting firm employed by the college or university.

The conclusion of the same document recommends:

Searches for presidents and other chief academic officers should have an open phase that allows individual faculty members as well as faculty bodies to review the credentials of finalists, ask questions, and share opinions before a final decision is made.

Finally, the AAUP website provides a Presidential Search Committee Checklist to guide institutions in the application of these policies. This emphasizes that

open visits are crucial in the success of the search process because they permit members of the campus community to participate in providing impressions, as well as to contribute to the candidate's understanding of the culture of the institution. In this final phase of the selection process, open visits present vitally important opportunities for both the campus community and the candidate to determine each other's suitability. This final step is extraordinarily useful to the search committee in making its final recommendation to the board.

The AAUP thus calls upon colleges and universities to resist calls for closed, secretive searches and reaffirm their commitment to transparency and active faculty engagement in the hiring of higher administrative officers. Faculty members should demand that their institutions observe established norms of shared governance by involving faculty representatives in all stages of the search process and by providing the entire faculty and other members of the campus community the opportunity to meet with search finalists in public on campus.

CINCINNATI ENQUIRER

<http://www.cincinnati.com/story/opinion/contributors/2015/10/08/aaup-miami-making-big-mistake/73580272/>

AAUP: Miami U making a big mistake

By Karen Dawisha, Keith Tuma and John McNay 11:18 a.m. ET Oct. 8, 2015



Buy Photo

(Photo: Enquirer file)

Karen Dawisha and Keith Tuma are co-presidents of the Miami University chapter of the American Association of University Professors, and John McNay is president of the AAUP's Ohio Conference.

Last week, news emerged that the Miami University board of trustees has chosen to conduct a secret search for the new president of the university. This is an alarming development.

Putting three elected faculty on the search committee and swearing them to secrecy – they will be asked to sign a nondisclosure agreement – does not represent an open process in which the

input of all members of the university community is considered. It does not suggest that the board takes shared governance seriously. Faculty should be widely consulted and have input in all important decisions at the institution. They do the work that is central to the university's core mission – instruction and research – and they know a lot about the qualifications and commitments a president should have.

The board's decision does not reflect the norm in Ohio. Presidential searches conducted in the recent past at Bowling Green, Toledo and Akron have been open processes in which finalists were brought to campus and required to meet with faculty and students. There are no special circumstances that justify the Miami board's secretive process. Transparency and honesty, especially at a public institution of higher education, should be of the utmost importance.

Miami University is Ohio's most expensive public university. It generates enormous revenue and is building large reserves on the backs of its students. Those students also deserve the right to be involved in the hiring process and to evaluate the finalists in open forums and small group settings.

What has happened at the University of Iowa is a cautionary tale. The Iowa board of regents hired as president Bruce Harreld, a corporate executive whose primary experience was based in marketing for IBM. The faculty were polled and almost unanimously found Harreld unqualified to be president. Iowa brought in all four finalists (three were clearly highly qualified) to face the faculty and students, but the regents blundered by hiring Harreld over persistent objections by the university community. The university is now in turmoil, and the faculty have issued a vote of no confidence in the board there. Miami has a chance to take a different road and to make a choice based on maximum feedback from all concerned parties – faculty, students, staff, alumni and the administration.

Many experts see a secretive process like the one proposed as flawed: "It is typically for the advantage of the candidate rather than the institution," says Michael Poliakoff, vice president of policy for the Washington, D.C.-based American Council of Trustees and Alumni, told Inside Higher Ed recently. "A confident and great institution should really be setting its own terms rather than deferring to candidates who understandably want to spare themselves the embarrassment of possibly being a finalist and not getting a final offer." Further, such a clandestine process certainly violates the spirit if not always the letter of the Ohio Open Meetings Law and thus opens the door for ongoing controversy.

We are disappointed by this decision by Miami's board of trustees. This position is very important to the future of Miami University and demands much more transparency than is being offered. It is especially unfortunate that an institution of higher education is all but locking out of the process the very people who are most engaged in education at Miami – students and faculty.

Miami University is an outstanding institution and deserves better judgment from its board of trustees than this. There is still time to fix this situation. We urge the Miami trustees to reverse their decision and show that it honors the tradition in higher education of openness and free exchange of ideas that an above board search would reflect.



BOWLING GREEN DAILY NEWS

http://www.bgdailynews.com/news/tensions-about-confidentiality-mount-around-wku-president-search/article_562c8444-0bac-5ce6-8957-ab0e1723fba1.html.

Tensions about confidentiality mount around WKU president search

By [Aaron Mudd](#)

September 16, 2016

As the search for Western Kentucky University's next president continues, there's disagreement about how much confidentiality candidates should have and whether the process is transparent enough.

Phillip Bale, who chairs the Presidential Search Committee, said the job opening has been posted online for about three or four weeks now and that the committee hopes to have an applicant pool that's diverse in all respects.

He also said the committee listened to feedback from stakeholders when it was developing the ideal profile for WKU's 10th president. It's been collecting feedback during special campus forums.

"I think it's an essential part of the process," Bale said. "We listened, we took notes, we actually taped a good deal of the sessions and many of the comments that were made certainly became a part of our discussion."

Bale said the Presidential Search Committee is charged with presenting three to four finalists for the full Board of Regents to narrow it down further. As many as six of the seven-member search committee are regents after the recent appointment of Julie Hinson.

"This is heavy task full of potential, full of possibilities," he said. "I think everyone on the search committee and everyone on the board understands that this is probably the most important thing we'll ever do in our service to Western Kentucky University."

But a key part of the process remains controversial – how much confidentiality candidates require.

"The assumption going in is that most all of the candidates require a great deal of confidentiality," Bale said.

The executive search firm Isaacson, Miller assisting in the search stressed the importance of ensuring that, Bale added.

"One of the things that the search firm has told me in the last week (is) that if they were unable to provide confidentiality at least two thirds of the people they've talked to already would drop out immediately," he said. "A lot of those would be strong candidates who maybe have very high-ranking positions."

However, some faculty find that confidentiality problematic and question how much say they have in the final decision.

During a meeting of the University Senate on Thursday, Senate Chairwoman Kate Hudepohl described that prospect as "troublesome."

Hudepohl said that, during a meeting between the Senate Executive Committee and Isaacson, Miller, the search firm said they understood the search would be closed.

"For those of you who don't know, a closed search means we won't know who's hired until they're hired," Hudepohl said during the meeting, getting a number of disgruntled responses from faculty present.

Hudepohl said the firm explained that a closed search was a growing trend in higher education and that having a closed search protects the candidate's position and their university. If a donor knew a president or provost was going to step down, for example, they might decide not to donate.

Hudepohl said those reasons make sense, but also took issue with not getting to meet the next president before he or she was hired.

"The idea that the stakeholders don't have a voice in the process is troublesome," she said.

The issue is accentuated, Hudepohl said, by a climate of distrust for some people on campus.

"Transparency is viewed as being a problem on this campus and so it seems like a lack of transparency," she said.

At the senate meeting, Faculty Regent Barbara Burch, who is another search committee member, defended the need for confidentiality in the process so that high quality candidates won't put their job at risk just to be an applicant. She said the work of the search committee is confidential, while the Board of Regents is the final selection committee.

"How the board will make that decision and what the process will be, I cannot tell you because I do not know," she said.

Burch said she believed candidates will have the choice of revealing themselves as finalists.

The conversation spurred many questions and comments from faculty concerned about the process.

Journalism professor Mac McKerral noted that the six Board of Regents members on the search committee means there's a quorum. That requires the time, date and location of the meeting to be open by law and it must be open unless there's a statutory exemption, he said.

Burch responded and said all meetings of the search committee are open.

Bale wasn't sure how many have applied, but said the number of applicants has risen into the double digits. He said there isn't a hard deadline for applications and that the goal is to winnow the list down to a few names by early December.

"If we keep our eye on the prize, which is to identify the very best person that we think we can find for our position, then we have to handle this very delicately," Bale said of the process.

— *Follow education reporter Aaron Mudd on Twitter @BGDN_edbeat or visit bgdailynews.com.*



http://www.timeswv.com/news/fairmont-state-professors-file-suit-over-president-search/article_771fd1b4-09ff-11e7-8530-57dd2450d69e.html.

Fairmont State professors file suit over president search

By Michelle Dillon, (Fairmont WV) Times West Virginian

Mar 16, 2017

FAIRMONT — Two Fairmont State University professors have filed a lawsuit against the school and the West Virginia Higher Education Policy Commission (HEPC) over the process to select the next university president.

On March 3, FSU physics professor Dr. Galen Hansen and biology professor Dr. Albert Magro filed a lawsuit in Marion County Circuit Court against the FSU Board of Governors (BOG) and the HEPC.

In the lawsuit Hansen and Magro allege that the FSU BOG violated the West Virginia Open Meetings Act.

They say in the lawsuit that the BOG discussed and made decisions in secret about the make-up and selection of the presidential search committee, the candidate requirements, the job description, the manner of advertisement for candidates and the candidate selection timeline for the new FSU president.

Hansen and Magro also allege that the BOG made these discussions and decisions without public notification or record. They say that no meetings of the BOG from August to December 2016 included any mention in the agenda or the minutes information about the presidential search.

Hansen filed a freedom of information request (FOIA) in January asking for written documents with information regarding the timing, agendas, discussions, decisions, minutes and other information regarding the private meetings held concerning the general personnel policies of the presidential search, according to the lawsuit.

The lawsuit says that the BOG and the HEPC disclosed in its response to the FOIA request that the BOG did discuss and make decisions regarding general issue and policies related to the presidential search in an executive session on August 18, 2016.

The professors contend discussions and decisions were made without mentioning the presidential search in the meeting agenda or the meeting minutes and without coming out of executive session.

Hansen and Magro allege that personnel issues regarding the presidential search that were discussed by the BOG involved only general personnel policies and were therefore not covered by exceptions in the Open Meetings Act.

The lawsuit says only private personnel issues of a personal nature and specific to an individual can be discussed in executive session and only if the item is included in the meeting agenda.

Hansen and Magro allege that the HEPC also violated the Open Meetings Act.

The lawsuit says the HEPC violated the act by serving as an informal member of the FSU presidential search committee and it was in communication with the BOG about the search process and was therefore aware of meetings and decisions.

Hansen and Magro said in the lawsuit that the WVHEPC violated its duty to hold the BOG accountable and ensure the BOG carried out its duty to govern FSU effectively.

They say in the lawsuit that the HEPC failed to fulfill its duty and authority to hold the BOG responsible for violations of the Open Meetings Act and instead relied upon the public to hold the BOG accountable for its violations via circuit court action.

Hansen and Magro also allege in the lawsuit that the BOG violated the West Virginia Freedom of Information Act.

The lawsuit said that in response to Hansen's FOIA request, the BOG provided no written information regarding the presidential search other than the job advertisement and the search timeline, both of which were made public in an October 2016 agenda of a HEPC special meeting.

Hansen and Magro ask in the lawsuit for an injunction against the BOG to stop discussing items in executive session that have not been listed on meetings agendas or mentioned in motions to move into executive session.

They also ask for the court to order the BOG to come out of executive session to make all discussions and decisions in a public meeting and to record in public minutes all discussions and decisions made.

Hansen and Magro ask for an injunction against the HEPC to stop discussing and making decisions regarding general personnel policies outside of open meetings.

They also ask for an injunction against the HEPC to stop deferring to the public to fulfill its duty to ensure that the BOG comply with open meetings law and effectively govern FSU.

Hansen and Magro ask for the court to protect the right of the public to open meetings and that the BOG and the HEPC follow the provisions of the Open Meetings Act including those pertaining to executive sessions.

Hansen and Magro also ask the court to order the BOG and WVHEPC to pay costs including attorney fees.

Attempts to reach the BOG or the HEPC for comment on the lawsuit were unsuccessful.

According to court records neither the BOG nor the HEPC have filed an answer yet to the lawsuit.

Email Michelle Dillon at mdillon@timeswv.com.

AAUP-University of Cincinnati President Ron Jones on the presidential search

December 15, 2016

As faculty are aware, the UC Board of Trustees launched the search for former President Santa Ono's replacement in June of this year. Rob Richardson, Board President and chair of the Presidential Search Committee, promised that the process would be "open, transparent, and collaborative." Unfortunately, it has been neither open, nor transparent, nor collaborative. To the contrary, the process has been shrouded in secrecy, lacking comprehensive faculty and student input, and in violation of well-established best academic practices.

To add to the consternation caused by this secretive search, The Cincinnati Enquirer recently reported that former Procter and Gamble CEO and the current Secretary of Veterans Affairs Robert MacDonald has emerged as a leading candidate. The leak of information poses two problems for the faculty. Since we have no other information to work with, we must assume that Secretary MacDonald is the only candidate being seriously considered. While that may, or may not, be a fair assessment of the situation, it would be unwise for faculty remain silent and not offer our opinions regarding the candidate. Second, hiring a president without academic credentials is a serious concern for those of us who work in Higher Education. When the University of Iowa decided it would abandon the accepted standards of shared governance and appointed Bruce Harreld, former IBM senior vice president, it was met with fierce criticism from the faculty and students. Harreld, one of the four finalists, lacked the qualifications and experience found in the other three candidates and yet the Board of Regents offered him the position due to his success in the private sector. Faculty questioned not only his academic background but also his the fact that he lacks any experience in public service. Eventually, the University of Iowa found itself on the American Association of University Professor's list of sanctioned institutions for "substantial non-compliance with standards of academic government".

While it is possible that an unconventional candidate could be an appropriate fit for UC, it is imperative that the process be truly open, transparent, and collaborative ensuring that all of the constituents at UC have a voice at the table. It's the right thing to do and will ensure that the right candidate is chosen for the job.

Secretary McDonald, if he is truly a candidate, and the other candidates should be made public and come to UC for public interviews with students, faculty, and other stakeholders. This would provide much needed confidence in the hiring process and a solid foundation for the new president to begin his tenure at UC. The process would also benefit the prospective candidates, providing them with the knowledge and confidence that UC is truly the best match for their skillset.

Both the National AAUP and the Association of Governing Boards of Universities and Colleges (AGB), a national association of university boards of trustees (of which the University of Cincinnati Board of Trustees is a member), have issued policy statements opposing closed-door, secret searches for university presidents.

In 1966, a joint Statement on the Government of Colleges and Universities was developed by the AAUP, the American Council on Education, and the Association of Governing Boards of Universities and Colleges. Of utmost importance, the joint statement states:

“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.”

In November 2015, the National AAUP reaffirmed its policy on secret presidential searches, stating:

“...decisions to forgo public campus visits and public forums by finalists violate longstanding principles of shared governance. Shared governance helps ensure that universities and colleges serve the public interest. Serving this interest is why we have public universities and colleges and why we grant special tax status to nonprofit private universities and colleges.”

The statement concludes:

“The AAUP thus calls upon colleges and universities to resist calls for closed, secretive searches and reaffirm their commitment to transparency and active faculty engagement in the hiring of higher administrative officers. Faculty members should demand that their institutions observe established norms of shared governance by involving faculty representatives in all stages of the search process and by providing the entire faculty and other members of the campus community the opportunity to meet with search finalists in public on campus.”

The full AAUP statement can be read here

[https://www.aaup.org/sites/default/files/AAUP_Statement_on_Presidential_Searches_0.pdf].

Thus far the UC presidential search has not been conducted according to either the spirit or letter of the shared governance principles in the AAUP-UC Collective Bargaining Agreement, National AAUP policies, or policy statements of the AGB, of which UC’s Board of Trustees is a member. The hope and expectation is that UC will immediately enter a more open phase of this vital search.

Ron Jones
President, AAUP-UC Chapter