THE UNIVERSITY OF NEW MEXICO

FACULTY SENATE MINUTES
1995-96
VOLUME 20
SPECIAL FACULTY SENATE MEETING

TUESDAY, OCTOBER 24, 1995
4:00 P.M.
KIVA

ALL FACULTY ARE ENCOURAGED TO ATTEND AND PARTICIPATE

TOPIC:
SEARCH PROCESS FOR PROVOST/VICE PRESIDENT
FOR ACADEMIC AFFAIRS

INTRODUCTION AND OUTLINING OF ISSUES:
HARRY LLULL, SENATE PRESIDENT

- NATIONAL SEARCH VERSUS INTERNAL SEARCH
- FACULTY REPRESENTATION ON THE SEARCH COMMITTEE
- WHO WILL CHAIR THE COMMITTEE, FACULTY OR DEAN?
- WHAT GROUPS SHOULD BE INCLUDED ON THE INTERVIEW SCHEDULE?

OPEN DISCUSSION: EVERYONE ATTENDING THE MEETING
RECOMMENDATIONS: FACULTY SENATE

FOR MORE INFORMATION, PLEASE CALL THE OFFICE OF THE UNIVERSITY SECRETARY, 277-4664
Faculty Participation in the Selection, Evaluation, and Retention of Administrators

The statement which follows, a revision and expansion of the 1974 statement on Faculty Participation in the Selection and Retention of Administrators, was prepared by the Association’s Committee on College and University Government. It was adopted by the Council of the American Association of University Professors in June 1981 and endorsed by the Sixty-seventh Annual Meeting as Association policy.

The 1966 Statement on Government of Colleges and Universities rests largely upon the conviction that interdependence, communication, and joint action among the constituents of a college or university enhance the institution’s ability to solve educational problems. As one facet of this interdependence, the Statement on Government asserts the expectation that faculty members will have a significant role in the selection of academic administrators, including the president, academic deans, department heads, and chairs. As a corollary, it is equally important that faculty members contribute significantly to judgments and decisions regarding the retention or nonretention of the administrators whom they have helped select.

THE SELECTION OF ADMINISTRATORS

The Statement on Government emphasizes the primary role of faculty and board in the search for a president. The search may be initiated either by separate committees of the faculty and board or by a joint committee of the faculty and board or of faculty, board, students, and others; and separate committees may subsequently be joined. In a joint committee, the numbers from each constituency should reflect both the primacy of faculty concern and the range of other groups, including students, that have a legitimate claim to some involvement. Each major group should elect its own members to serve on the committee, and the rules governing the search should be arrived at jointly. A joint committee should determine the size of the majority which will be controlling in making an appointment. When separate committees are used, the board, with which the legal power of appointment rests, should either select a name from among those

1 According to the “Joint Statement on Government” (Academe 76 [May-June 1990]: 45-48), joint effort of a most critical kind must be taken when an institution chooses a new president. The selection of chief administrative officers should follow upon cooperative search by the governing board and the faculty, taking into consideration the opinions of others who are appropriately interested...

The selection of academic deans and other chief academic officers should be the responsibility of the president with the advice of and in consultation with the appropriate faculty. The chair or head of a department, who serves as the chief representative of the department within an institution, should be selected either by departmental election or by appointment following consultation with members of the department and of related departments; appointments should normally be in conformity with department members’ judgment. The chair or department head should not have tenure in office; tenure at a faculty member is a matter of separate right. The chair or head should serve for a stated term but without prejudice to reelection or to reappointment by procedures which involve appropriate faculty consultation.
submitted by the faculty committee or should agree that no person will be chosen over the objections of the faculty committee.

The role of the faculty in the selection of an administrator other than a president should reflect the extent of legitimate faculty interest in the position. In the case of an academic administrator whose function is mainly advisory to a president or whose responsibilities do not include academic policy, the faculty's role in the search should be appropriate to its involvement with the office. Other academic administrators, such as the dean of a college or a person of equivalent responsibility, are by the nature of their duties more directly dependent upon faculty support. In such instances, the composition of the search committee should reflect the primary faculty interest, and the faculty component of the committee should be chosen by the faculty of the unit or by a representative body of the faculty. The person chosen for an administrative position should be selected from among the names submitted by the search committee. The president, after fully weighing the views of the committee, will make the final choice. Nonetheless, sound academic practice dictates that the president not choose a person over the reasoned opposition of the faculty.

THE EVALUATION OF ADMINISTRATORS

Institutions should develop procedures for periodic review of the performance of presidents and academic administrators. The purpose of such periodic reviews should be the improvement of the performance of the administrator during his or her term of office. This review should be conducted on behalf of the governing board for the president, or on behalf of the appointing administrator for other academic administrators. Fellow administrators, faculty, students, and others should participate in the review according to their legitimate interest in the result, with faculty of the unit accorded the primary voice in the case of academic administrators. The governing board or appointing administrator should publish a summary of the review, including a statement of actions taken as a result of the review.

THE RETENTION OF ADMINISTRATORS

A more intensive review, conducted near the end of a stated term of administrative service, may be an appropriate component of the decision to retain or not to retain an administrator. When used for such a purpose, the review should include such procedural steps as formation of an ad hoc review committee, with different constituencies represented according to their legitimate interest in the result; consideration of such added data as the administrator's self-assessment and interviews with appropriate administrators and faculty and students; and submission of a report and recommendations, after the subject administrator has had an opportunity to comment on the text, to the board or appointing administrator. The board or appointing administrator should accept the recommendations of the review committee, except in extraordinary circumstances and for reasons communicated to the committee with the result of the review and for reasons communicated to the committee with the result of the review and for reasons communicated to the committee with the result of the review.

All decisions on retention or nonretention of administrators should be based on institutionalized and jointly determined procedures which include significant faculty involvement. With respect to the chief administrative officer, the Statement on Government specifies that the "leadership role" of the president is "supported by delegated authority from the board and faculty." No decision on retention or nonretention should be made without an assessment of the level of confidence in which he or she is held by the faculty. With respect to other academic administrators, sound practice dictates that the president should neither retain an administrator found wanting by faculty standards nor arbitrarily dismiss an administrator who on retention or nonretention be made without consultation with all major segments of the faculty involved to a degree at least co-extensive with its role in the original selection process.

A special meeting of the Faculty Senate was held Tuesday, October 24, 1995, at 4 p.m. in the Kiva. President Harry Lulll presided.

Senators Present: Victor Delclos (Education), Charles Fleddermann (Electrical & Computer Engineering), Patrick Gallacher (English), John Geissman (Earth & Planetary Sciences), Roy Johnson (Civil Engineering), William Johnson (Biology), William Kane (Education), Peggy Kelley (Surgery), Tom Kyner (Mathematics & Statistics), Harry Lulll (General Library), George Luger (Computer Science), Kees Oonnewer (Mathematics & Statistics), Fred Schueler (Philosophy), Sandra Schwanberg (Nursing), Avarham Shama (Anderson Schools of Management), Henry Trevithit (Communication & Journalism), Maurice Wildin (Mechanical Engineering), Sherman Wilcox (Linguistics), Beulah Woodfin (Biochemistry)

Senators Absent: Alok Bohara (Economics), James Boone (Anthropology), Judith Brillman (Emergency Medicine), Jane Brucker (Gallup), Beverly Burris (Sociology), Anthony Cardenas (Spanish & Portuguese), Monica Cyrimo (Foreign Languages & Literatures), Tom DeCoster (Orthopaedics), Ernest Dole (Pharmacy), Deborah Graham (Health Sciences Library), BLaine Hart (Radiology), Andrew Hitl (Pediatrics), Craig Kelsey (Education), Larry Lavendar (Theatre & Dance), Deborah McFarlane (Public Administration), Richard Melzer (Valencia), Christine Nathe (Dental Hygiene), Donald Neaman (Electrical & Computer Engineering), Peter Pabisch (Foreign Languages & Literatures), Stephen Preskill (Education), Ed Reyes (Pharmacology), Gloria Sarto (Obstetrics & Gynecology), Schwyer Soong (Howard Engineering), Tom Soong (Architecture & Planning), Scott Taylor (Law), Nancy Ziegler (Gallup), Gerald Weiss (Physiology)

Excused: Steven Block (Music)

Non-Senate Faculty Present: Henry Shapiro (Computer Science), Ken Frandsen (Communication & Journalism), John Bussanich (Philosophy), Paul Weiss (General Library), Pat Peters (Gallup), Charles McClelland (History), Byron Lindsey (Foreign Languages & Literatures), Ken Jungling (Electrical & Computer Engineering), Jay Epperson (Mathematics & Statistics)
President Llull said this meeting would be conducted as an open forum of the faculty, as opposed to meeting of the Faculty Senate because of the low attendance of Senators at the meeting. The special meeting was called because of the many reactions of the faculty and administrators to UNM President Peck’s decision to conduct an internal search for the provost position.

President Llull informed the faculty that a statement from the AAUP Policy Documents and Reports (1990) on Faculty Participation in the Selection, Evaluation, and Retention of Administrators was available at this meeting. President Llull then proceeded to introduce and outline the issues involving UNM’s search for provost/vice president for academic affairs. The issues were: a national search versus an internal search; faculty representation on the search committee, who will chair the committee, faculty or dean, and what groups should be included on the interview schedule.

President Llull said he received messages from the faculty indicating a lot of support for a quick, internal search. They would like to have someone in the provost position before the end of the year, in a 1-3 year term. However, faculty and administrators expressed concerns to him that the possibility of a national search for a provost position appeared to have been over ridden. Many individuals have reported to President Llull that their responses to UNM President Peck’s e-mail message (soliciting input on the provost search) favored an internal search, not knowing a national search would be excluded. President Llull said faculty cited their opinions, pros and cons, regarding internal and national searches for the provost position at UNM.

President Llull said faculty members: Ruth Luckasson (Education), Linda Hall (History), and Terry Yates (Biology), among those chosen by UNM President Peck to serve on the Provost Search Committee, were nominated by the Senate Operations Committee.

The meeting was opened up for general discussion and the following dialogue ensued.

Henry Shapiro (Computer Science) summarized his feelings regarding an internal search. He said a research institution, by its very nature, should search nationally (and this doesn’t mean that internal candidates cannot apply) for its top academic officer. Professor Shapiro feels an internal search is the wrong image to present externally, especially after the bungling which resulted in UNM’s exclusion from the National Research Council report (another bad image for UNM). Professor Shapiro emphasized UNM has searched nationally for other positions, i.e., police chief, and vice president for student affairs, and that it would be a disaster, and a bad image to conduct an internal search only for its most important academic officer. Professor Shapiro said arguments that national searches cost too much money “are silly.” He said if any funds are going to be used to conduct an external NRC evaluation of UNM’s graduate programs (because nobody is going to read these outside results or believe them), they should be used instead on a national search for a provost. Professor Shapiro disagreed with the procedure used to consult the faculty regarding the search process. He said the appropriate procedure for faculty opinion is through the Faculty Senate, not solicited through e-mail. Professor Shapiro was concerned that there was not enough time for discussion by the Faculty Senate regarding an internal search, or any serious involvement
of the Faculty Senate in this issue. He said an internal search is a bad idea, and the way it was handled was also a bad idea. He stated his amazement at the low attendance of faculty at this meeting.

President Llull mentioned that President Peck spoke to the Senate Operations Committee regarding the provost search, and that they recommended an internal search for an interim provost. He said most faculty who responded to President Peck’s e-mail responded in favor of an internal, interim provost, thinking a national search would follow at some point.

Senator Avraham Shama said it was outrageous for the faculty to agree to forego a national search for a provost. He said up to one and one-half year long searches are conducted nationally for faculty positions. Professor Shama summarized a written statement which he prepared and submitted to President Peck in response to an internal search process. Professor Shama’s statement is as follows:

The University of New Mexico must conduct a national search for a provost in order to hire the best person for the job.

President Richard Peck’s declaration of a “compelling need” to restrict the search to internal candidates is misguided and harmful to the University and to the New Mexico community. In fact, had this argument been used in the past, Dr. Richard Peck would have never gotten his present job. An internal search may be easy and expedient, but it is typical of monarchy and not the democratic society in which we live.

The University of New Mexico is a multi-million dollar business, yet it still operates like a small business, forgetting to submit data essential to the national ranking of many of our Ph.D. programs, and opposing the right of the faculty to unionize.

It is time that we conduct an audit of how the University business operates, and identify and implement changes that will bring it to the 20th century. In this regard, I welcome the insight and effort of the Board of Regents of the University of New Mexico.

I request the members of the faculty senate to urge President Peck to conduct a national search for provost and to modernize the ways in which the university business is run.

Gilbert Merkx (Sociology) provided a history on the previous provosts/vice presidents for academic affairs at UNM over a 27-year period. Nine provosts have averaged three-years in office. After Chester Travelstead’s and Mac Hull’s longer terms, the provosts’ terms have averaged from one-two years in office. Professor Merkx said the difference in provosts and faculty members is that faculty members like to stay at UNM. He said a provost’s job tends to be a national market launching pad for a presidency position. Professor Merkx supports the decision for an internal search because it is reasonable; UNM has good internal candidates; and national searches can be expensive.
Eric Loker (Biology) agreed with Professor Merkx's remarks. Professor Loker said he initially thought an internal search was a bad idea. He and his colleagues in Biology feel it would be helpful to have a provost on board by January when the state Legislature convenes. Professor Loker supports hiring a provost internally in order to give this individual the benefit of having the power that goes with the office, so UNM can be effectively represented at the legislative session in January. Professor Loker also agrees UNM has, potentially, very good candidates internally.

President Llull said one reason for calling a special meeting was so faculty could listen to other faculty's opinions, and to share ideas and sentiments. Personally, President Llull thinks it is a very poor excuse to say UNM cannot afford to conduct a national search. He said those in favor of a national search should recognize the reasons expressed by those wanting an internal search as valid and are not necessarily conspiratorial. If the majority of the faculty believe that we should conduct an internal search, then the next step is how to turn an internal search into a significant search.

Senator Tom Kyner said it is not clear to him there is a rich pool of internal candidates for the provost position. He said he knows of no other candidate, other than Dean William Gordon (who is an excellent candidate and can compete with external applicants). Also, Professor Kyner is not convinced that a provost position, by nature, is so temporary. He would need more data from other universities to compare with UNM's data (presented earlier by Professor Merkx). Professor Kyner said an internal search is outrageous.

Senator Beulah Woodfin agreed someone is needed in the provost position soon. Senator Woodfin expressed concern with Professor Merkx's comments which may seem to indicate that UNM runs itself in spite of its turnover of provosts, which suggests we really don't need a provost. She is also concerned that a provost chosen in an internal search is ultimately not going to have the respect of a large segment of the faculty who feel that this person was not rated against a national pool. Professor Woodfin suggests a fixed term for an interim provost, with the internally selected candidate eligible to apply in a national search, if that person wishes to do so.

Senator Kane stated these concerns: 1) the candidate pool is extremely small (it would not be this way in a national search; 2) if the university is serious about affirmative action, then it will make efforts to search nationally to include a diverse group of candidates for the pool. He said he was totally blind sided by this decision, and said it was a pretty slick move to announce the decision before the faculty had the opportunity to discuss it. He wondered what other issues the faculty need to be concerned with before decisions regarding those issues are made without faculty discussion and input. Professor Kane said those issues need to be identified now and strategies discussed to deal with them. He said it does not do any good to complain about the fact that the decision for an internal search has been made, it only makes the faculty look bad.

Charles McClelland (History) said he has been a faculty member at UNM for a long time and he has seen stability and instability in various offices at UNM. His presence at this meeting was
primarily as President of the State Association of University Professors, the state branch of the American Association of University Professors (AAUP). Professor McClelland said Gallup branch faculty were also shocked by the decision to conduct an internal search to replace Provost Coleman. He read the following resolution which represented the majority opinion of the Gallup faculty.

The selection of a replacement for Dr. Coleman requires a process that, at every step, is of crucial importance to the faculty.

It is the request of the Gallup AAUP Chapter that the following features of that selection be recognized and incorporated:

1) A national search, expedited with the cooperation of all components of the University.
2) The incorporation of selection criteria requiring a Provost with supportive, faculty-governance including collective bargaining experience.

If it is imperative to fill the position soon, it would be wise to appoint an interim Provost while a Search Committee develops procedures for a national search.

Professor McClelland said other AAUP chapters around the State of New Mexico did not produce a resolution on this issue, feeling it inappropriate to bind the hands of the UNM Faculty Senate with their opinions. However, their general sense is that if the University of New Mexico tends to continue claiming to be the flagship university of the state, it is not a very good time to give up national searches. Professor McClelland said other universities in New Mexico will be looking at what UNM will do. Professor McClelland reminded the faculty that in the long history of the selection of higher academic officers at UNM there have been choices between excellence and stability. He said, if we choose stability, we are also choosing mediocrity.

Professor Gilbert Merkx said the market for academic administrators is very different from the market for faculty members. He said it has been his experience from serving nearly three decades on search committees that the national pool for administrators is not very good. He said the kinds of people in these pools are usually discontent in their professions or on their way to a presidency, that is the disadvantage with relying on national pools. Professor Merkx said the internal candidates are colleagues whose records are known.

Senator Kyner agreed UNM’s record of hiring presidents and provosts has not been too great internally or externally. He said Mary Sue Coleman was an excellent choice for provost, and the fact that she did not stay too long at UNM is unfortunate. Senator Kyner said it appears the current pool has only one person in it, which is foolish. He stated the pool should be expanded nationally.

Senator Shama said if there is an exceptional internal candidate he would like to see that
candidate compete in a national search. The candidate(s) would gain the extra confidence that they have been chosen from a large pool.

Senator Shama presented a motion to go from the Faculty Senate to the President recommending an interim provost be appointed for up two years while undertaking a national search.

President Lull took a count which showed only 19 senators present at this meeting. President Lull said a vote on Senator Shama's motion would require 19.6 senators for a quorum. Therefore it was decided that a vote could not be taken on the motion.

Finally, Henry Shapiro moved to poll the faculty properly by ballot. After discussion, it was recommended that the Office of the University Secretary mail ballots to all faculty members to determine if there is support for President Peck's decision to confine the search for a new provost to internal candidates and to provide advisory information the Senate and the administration regarding appointment of an interim provost and steps subsequent to that appointment. The ballots will ask if faculty want: 1) a national search, 2) an internal search, 3) an internal search resulting in an appointment for a specified period (2-3 years) with a national search commencing before the end of the term, 4) "I don't care". The results of the poll will be available prior to the next faculty Senate meeting on November 7, 1995.

The meeting adjourned 5 p.m.

Respectfully submitted by:

Mari A. Ulibarri
Administrative Assistant
Office of the University Secretary

Approved by:

Vivian Valencia
University Secretary