

**Presidential Search Faculty Consultation Committee (PSFCC)
Activity Summary for Faculty Senate Meeting
October 3, 2017**

The PSFCC met on September 20 to finalize our communication with the Board of Trustees regarding the announcement made on September 15 that the presidential search would be confidential. The PSFCC was not consulted on that decision. Our September 22 letter to the Board is attached. The PSFCC received a response from Mr. Grissom, Chair of the BoT, on September 29, also attached. The PSFCC replied to Mr. Grissom's letter on October 1, also attached.

The PSFCC has yet to communicate directly with Mr. Grissom, despite our repeated requests to meet with Board members about the presidential search.

Members of the PSFCC have contacted their units – deans, chairs, and faculty assemblies – to request that they send letters to the Board in support of a search process that would allow finalists to visit campus and meet with constituents.

The Provost's Office has created a website for the PSFCC under the "Faculty Affairs" tab. The URL is: <http://louisville.edu/provost/faculty-personnel/searches/presidential-search-faculty-consultation-cmte/presidential-search-faculty-consultation-committee>. We are making all documents regarding the presidential search available on the site.

Questions for the PSFCC may be directed to Susan Jarosi or Robert Keynton.

susan.jarosi@louisville.edu
robert.keynton@louisville.edu

Board of Trustees
University of Louisville

September 22, 2017

Dear Members of the Board of Trustees,

We, the Presidential Search Faculty Consultation Committee (PSFCC), are writing to express our deep concern regarding the Board's decision (announced via email on September 15) to conduct a closed presidential search. The specific concerns we wish to raise are as follows: 1) a need for transparency and accountability in the search process; 2) a need to restore trust, morale, and the public image of the university; 3) a need for the future president to have the endorsement and support of the faculty as chief academic officer; 4) a need to preserve the special responsibility of the faculty, staff, and student trustees to represent their constituents; 5) a need to prioritize the university's needs over candidates' fears of "risking their career"; and 6) a need to attract the right kind of candidates to lead us through the challenges confronting our university. Please see below for a detailed discussion of these points.

The university's *Redbook* (Section 2.1.1.) stipulates that, "in making the appointment of the President, the Board shall consult with a faculty committee to be composed of one representative elected for that specific purpose from each of the [thirteen academic] units listed in Section 3.1.1." The term consultation holds a specific meaning in the context of university governance, and by implication in the *Redbook*. Per the guidelines of the American Association of University Professors (AAUP) and American Conference of Academic Deans (ACAD), consultation is defined as follows:

a formal procedure or established practice which provides a means for the faculty (as a whole or through duly authorized representatives) to present its judgment in the form of a recommendation, vote, or other expression sufficiently explicit to record the position taken by the faculty. This explicit expression of faculty judgment must take place in time to affect the decision to be made. Proposals brought to the faculty for the expression of its judgment may come from the faculty, the administration, or the board.

We ask that you carefully consider the arguments presented below and reconsider the decision to conduct a closed presidential search. Furthermore, we request that you consult our committee, per *Redbook* guidelines, on the presidential search going forward.

The PSFCC firmly believes that the risks of a closed search far outweigh the rewards. Should you have questions, please do not hesitate to contact us. We would welcome the opportunity to discuss these matters with the Board at any time.

Sincerely yours,

Brian Alpert, School of Dentistry
Diane Chlebowy, School of Nursing
Seana Golder, Commission on the Status of Women
Susan Jarosi, College of Arts & Sciences
Robert Keynton, Speed School of Engineering
Kimcherie Lloyd, School of Music
Patrick Pössel, Interdisciplinary & Graduate Studies
Brad Shuck, Education & Human Development

Lynn Boyd, College of Business
Anna Faul, Kent School of Social Work
Rachel Howard, University Libraries
V. Faye Jones, Commission on Diversity & Racial Equity
Bert Little, Public Health & Information Sciences
Kelly McMasters, School of Medicine
Cedric Merlin Powell, Brandeis School of Law

Points of Concern

1. The Board's decision to not discuss the procedure of the search with the PSFCC and other primary stakeholders within the university was a failure of due diligence. Despite the Chair's public acknowledgment that there are differing views on what constitutes best practices for presidential searches, the Board did not invite discussion and debate about how to define them nor what options might be available for the conduct of the search. In seeking input, it chose to solicit advice only from unnamed "national experts in higher education" and privilege that input over the informed positions of those who will be directly affected by the decision and who will be working with the appointee for years to come. These failures repeat the rejection of transparency, consultation, cooperation, and collaboration that plagued the administration under James Ramsey.
2. A closed presidential search will inflict further damage to morale, trust, and the public image of the university. With the announcement of the closed search, the search process itself has already become a subject of contention and controversy, which detracts from the more important aspects of the search and works to undermine its very legitimacy. An open search, by contrast, ensures transparency and accountability and therefore protection against such charges. Moreover, an open search is crucial not only for permitting the campus and local communities to participate in providing impressions of finalists, but for candidates to gain a full understanding of the culture of the university; both are then in the best position to determine each other's suitability. The university community needs these things urgently, almost above all else.
3. The person selected for appointment as president needs to have the confidence not only of the Board of Trustees, but equally of the faculty. This is because the president holds a unique position within the university, serving as both chief executive officer (responsible to the Board) and chief academic officer (responsible to the faculty). A president who is selected without the support of the faculty thus enters into the job severely handicapped, making her or his task exponentially more difficult in a campus climate in which trust and morale are currently in very short supply. A closed search will undermine the efforts of the appointed president to correct the university's course by virtue of the mistrust sowed by a closed search process. By opting to go this route, the Board has invited faculty, staff, student, and community antagonism toward the search process, and that antagonism will necessarily deflect the perception of the appointee.
4. A search process governed by confidentiality throughout all phases denies the student, staff, and faculty representatives on the Board of Trustees the opportunity to properly consult with their constituents. So-called listening tours, while important for providing large forums in which many can express their views, are one-sided and abstract. Information, in other words, flows only in one direction – from constituents to representatives, but not back again. In addition, those providing input through listening tours are speaking in general, abstract terms – about "ideal" or "imagined" candidates with an "ideal" set of qualifications – and will never be afforded the opportunity to see how the production of the collective's ideals actually match particular individuals. Imposing confidentiality even during the final stage of the search process prohibits elected representatives on the Board from sharing information with their constituents so that they may formulate recommendations, a restriction which compromises the roles for which are elected and contravenes their charges as stipulated in the *Redbook*. This represents a very serious breach of governance.
5. The closed search has been justified by claiming that the best candidates will not wish to "risk their career by becoming a public person during an interview process." We would like the Board to be aware that no evidence is available to support this claim. Candidates for presidential

positions are intensely ambitious and highly accomplished professionals who are fully aware of the stakes entailed in pursuing their own career advancement. What is more, being publicly pursued by another institution indicates the strength and desirability of the individual. In fact, this often leads to retention offers from a home institution. This is a commonplace in both the corporate and academic worlds, and it seems disingenuous to assert that potential candidates must weigh “risking their career” in order to be considered for the position. The Board’s decision to frame the search process in these terms places concerns for candidates’ privacy above the needs of the university and the community at large. We believe it is possible to strike a balance in which both the university’s needs and candidates’ needs are accommodated by clearly outlining a search process that explains the importance of and rationales for confidentiality in the beginning stages but an open final phase with public on-campus interviews.

6. Finally, the PSFCC believes that candidates who are unwilling to participate in a search process with a final public phase that includes dialogue with campus constituencies – at this point in time, given recent events, considering the numerous challenges we face – are likely not candidates who are best prepared to lead us through the difficulties confronting our university at this critical juncture.

BOARD OF TRUSTEES

University of Louisville
Louisville, Kentucky 40292
Office: 502-852-5417
Fax: 502-852-7226

September 29, 2017

Presidential Search Faculty Consultation Committee
University of Louisville AAUP Executive Committee

Dear Members of the Presidential Search Faculty Consultation Committee and Members of the University of Louisville AAUP Executive Committee,

Thank you for sharing your thoughts and concerns about the search for the next president of the University of Louisville. I appreciate your candid and thoughtful comments on the search. We agree in principle on a number of points in your letters, particularly the need to restore trust in our institution's leadership, the need for the president to have the support of the faculty, and the need to attract the right kind of candidates to lead us through the challenges confronting our university. I am keenly aware that this process must yield a president who can inspire the university community through intelligence, integrity, vision and leadership.

In preparing to conduct a highly successful search for UofL's next president, I have talked with colleagues at other institutions and with a number of higher education search consultants. Without exception, I have been advised that, in order to encourage the best candidates to consider UofL, we need to assure them from the start that the search will be conducted in confidence until its conclusion. I recognize that this may appear to be in conflict with academic tradition, but delivering the best possible president for our university should be our primary objective.

This does not, however, preclude faculty, staff and student input into the search process. In fact, such input is vital to the success of the search. As you know, three of the 13 members of the search committee – almost 25 percent – represent the interests of faculty, staff and students. I have found Enid Trucios-Haynes, Will Armstrong, and Vishnu Tirumala to be strong advocates and I have great confidence in their commitment to the university and their constituents – and in their strength in representing their individual constituencies and bringing thoughts and concerns to their colleagues on the Board. I promise you that the full Board listens to them.

The Board has just begun the search and is developing plans to seek broad input into the process. The listening tour will be an important part of our search, and I encourage all of you to participate. I also assure you that the process will include consultation with all important constituencies of the university in accordance with the Redbook.

We share the same goal. We all want the best for UofL. I hope you will join me in demonstrating to the UofL family and potential candidates that, despite our differences, this is a place where we all work together for the betterment of our campus, our community, and the Commonwealth.

Sincerely,



J. David Grissom
Chair

Board of Trustees
University of Louisville

October 1, 2017

Dear Mr. Grissom and Members of the Board of Trustees,

Thank you for your letter dated September 29. We appreciate your prompt reply, but we could not help but notice that it failed to address the issues that we raised in our September 22 communication to the Board, perhaps most notably the need for transparency and accountability in the presidential search.

It is clear that the Presidential Search Faculty Consultation Committee (PSFCC) and the Board share many of the same goals. However, none of those shared goals – not the restoration of trust in the university's leadership, nor the support of the faculty, nor the suitability of candidates – can be achieved without transparency and accountability.

In opting for a closed presidential search, the Board is effectively ignoring UofL's past practices, which historically have involved more representative search committees, vetting of the search process by university constituents, and campus visits for finalists. It is also disregarding the *Redbook*, which enshrines strict consultation procedures in the stipulation of a faculty consultation committee. The PSFCC is disturbed that the weight and import of these institutional customs, procedures, and rules are being dismissed in favor of advice that Mr. Grissom has received in private consultation with unnamed sources.

The events of the past week only reinforce the absolute need for transparency and inclusiveness to reestablish trust in the university's leadership.

In closing, we wish to underscore again that we share many of the same goals, but we will not acquiesce in the subordination of our collective voice. The PSFCC is committed to working alongside the Board to ensure full compliance with the requirements of the *Redbook*.

The PSFCC requests that you contact us as soon as possible so that we may discuss these urgent issues in person.

Thank you for your attention. We look forward to meeting with you.

Sincerely yours,

Brian Alpert, School of Dentistry
Lynn Boyd, College of Business
Diane Chlebowy, School of Nursing
Anna Faul, Kent School of Social Work
Seana Golder, Commission on the Status of Women
Rachel Howard, University Libraries
Susan Jarosi, College of Arts & Sciences
V. Faye Jones, Commission on Diversity & Racial Equity
Robert Keynton, Speed School of Engineering
Bert Little, School of Public Health & Information Sciences

Kimcherie Lloyd, School of Music
Kelly McMasters, School of Medicine
Patrick Pössel, Interdisciplinary & Graduate Studies
Cedric Merlin Powell, Brandeis School of Law
Brad Shuck, Education & Human Development