Testimony for the May 21, 2015 BoR meeting

Robert Cooney <rvcooney@hawaii.edu>  
To: Board of Regents <bor@hawaii.edu>  
Wed, May 20, 2015 at 9:32 AM

Please find attached my testimony for tomorrow’s BoR meeting. The testimony relates both to the Longanecker Report and to budget decisions to be made by the BoR. I will attend the meeting and give oral testimony.

Regards,

Bob Cooney, Ph.D.  
Associate Professor  
Department of Public Health Sciences & Epidemiology  
1960 East-West Road  
Room D104K  
University of Hawaii at Manoa  
Honolulu, HI 96822

Phone (808) 956-5775  
rvcooney@hawaii.edu

---

Cooney testimony BOR May2015.pdf
249K
May 20, 2015

Randy Moore, Chair
University of Hawaii Board of Regents
Bachman 209
University of Hawaii
2444 Dole Street
Honolulu, HI 96822

Dear Chair Moore and Board Members:

With the presentation of the Longanecker report today, we sincerely hope the question of the need for an independent chancellor for UH Manoa has been put to rest. There is a clear and compelling need for strong effective leadership at the State’s only research I university and the continued presence of interim executives only contributes to the further destabilization of our higher education system. We urge you to approve as soon as possible a plan to search for and hire a permanent chancellor for Manoa that includes appropriate faculty representation and control of the search process. I have attached a copy of the AAUP guidelines to assist you in preparing for this vitally important search. In addition, as we have repeatedly stated over the past year, a new governance structure is vitally needed whereby the Chancellor of UH Manoa interacts directly with the governing board. This can be accomplished in numerous ways, such as the creation of a separate board for Manoa, or bypassing the President’s office with greater delegation of authority to and BoR interaction with the Chancellor as well as the elimination of duplication at the System level with transfer of necessary functions to Manoa. There is also a need to foster greater faculty governance in all aspects of the running of the University of Hawaii at Manoa. In particular faculty must play a predominant role in all executive searches and evaluation of executives, as well as participating actively in the budget process.

With respect to the budget process, I draw your attention to the attached resolution that was passed with overwhelming support at the May 6, 2015 faculty senate meeting. In it, significant concerns are raised concerning the composition and tardiness of the Budget Task Force that was instituted last Fall to devise a budgetary model for Manoa and the resolution calls for “the Interim Chancellor to convene a budget process advisory committee represented by a wider faculty base that also includes staff and students and one or more consultants with expertise in public accounting and budgeting to evaluate the BTF recommendations and in the interest of transparency forward its own independent recommendations to the Chancellor, Faculty, Staff, and Student Body before the Chancellor makes his final decisions”. We are aware of recent budget presentations that have been made to the BoR that we believe misrepresent the current budget situation and the underlying reasons for the looming fiscal crisis. If the teaching and research missions of Manoa are to flourish, it is essential that we have complete transparency and honestly evaluate our current and future fiscal state. This can only be done with faculty input that reflects the reality of what is happening in the classrooms and laboratories.

Finally we have appreciated the opportunities to interact with regents at an unprecedented level over the past year and hope that the perspectives provided by diverse faculty have provided you with new and important insights into the operation of the university. Chair Moore is to be congratulated for this effort and we look forward to continuing this process in the coming year and translating that interaction into effective changes that will help to solve the underlying structural problems in the operation of the UH system.

Sincerely,

Robert V. Cooney, Ph.D.
Chair, University of Hawaii at Manoa Faculty Senate
Faculty Participation in the Selection, Evaluation, and Retention of Administrators

The statement that 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 Governance. It was adopted by the Association’s Council in June 1981 and endorsed by the Sixty-seventh Annual Meeting.

The Association’s 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 that 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 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 primacy of 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 other 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 an opportunity for response by the concerned parties prior to a final decision. The report should be made public, except for such sections as the board or appointing administrator and the review committee agree to be confidential, together with an account of actions taken as a result of the review.

All decisions on retention and 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 meets the accountability standards of the academic community. In no case should a judgment on retention or nonretention be made without consultation with all major constituencies, with the faculty involved to a degree at least co-extensive with its role in the original selection process.

The president and other academic administrators should in any event be protected from arbitrary removal by procedures through which both their rights and the interests of various constituencies are adequately safeguarded.

Notes
1. According to the “Statement on Government,” 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 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 as 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 that involve appropriate faculty consultation (AAUP, Policy Documents and Reports, 10th ed. [Washington, D.C., 2006], 137, 139).
Presented to the Mānoa Faculty Senate by the Committee on Administration and Budget for a vote on May 6, 2015, a resolution on the Budget Task Force (BTF). Approved by the Mānoa Faculty Senate on May 6, 2015 with 47 votes in support of approval and 16 votes against approval.

RESOLUTION ON THE BUDGET TASK FORCE

WHEREAS, the implementation of shared governance is important for faculty; and

WHEREAS, the UHM budget model greatly impacts teaching, research, and service capabilities; and

WHEREAS, the Manoa Faculty Senate (MFS) Committee on Administration and Budget (CAB) advocates for a transparent process in developing a holistic approach to budgetary review, evaluation, and restructuring; and

WHEREAS, the Interim Chancellor appointed a Budget Process Task Force (BTF) in September 2014, comprising of 4 vice chancellors, 5 deans and directors, 4 A&S faculty, 1 GSO student, and 1 ASUH student; and

WHEREAS, the Interim Chancellor requested MFS CAB to independently ‘shadow’ the BTF budgetary review process, yet BTF discussions remained significantly closed despite continual concerns raised over transparency; and

WHEREAS, the BTF was charged with recommending a new UHM budget process and allocation methodology for General and Tuition and Special Fees funds by January 15, 2015; and

WHEREAS, MFS recommended the adoption of a phased-in Responsibility Centered Model (RCM) of budget allocation through a resolution passed at its November 21, 2014 meeting; and

WHEREAS, the BTF has yet to deliver significant recommendations beyond historical status quo allocations; and therefore,

BE IT RESOLVED, that the Manoa Faculty Senate requests the Interim Chancellor to convene a budget process advisory committee represented by a wider faculty base that also includes staff and students and one or more consultants with expertise in public accounting and budgeting to evaluate the BTF recommendations and in the interest of transparency forward its own independent recommendations to the Chancellor, Faculty, Staff, and Student Body before the Chancellor makes his final decisions; and

BE IT FURTHER RESOLVED, that the Manoa Faculty Senate requests the Interim Chancellor to convene this ad hoc committee with MFS faculty members nominated by SEC and/or CAB.