



Board of Regents <bor@hawaii.edu>

Testimony for 8.20.15 BoR meeting

UHM Faculty Senate <uhmfs@hawaii.edu>

Wed, Aug 19, 2015 at 10:49 AM

To: Leila Wai <bor@hawaii.edu>

Cc: SEC <uhm-mfs-sec@lists.hawaii.edu>

Dear Leila,

On behalf on the Senate Executive Committee, attached is Chair Cooney's testimony for tomorrow's BoR meeting.

If you have any questions, please contact Bob at X65775.

Mahalo,

John Kinder*Administrative Officer*

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August 18, 2015

Randy Moore, Chair
University of Hawaii Board of Regents
Bachman Hall, Room 209
University of Hawaii at Mānoa

Dear Chair Moore and Board Members:

Faculty are increasingly concerned about the survival of the flagship campus of the UH system and the manner in which faculty concerns are communicated to the Board of Regents. It has now been over one year since the former Chancellor of Mānoa was fired in what the Mānoa Faculty Senate viewed as an arbitrary and capricious manner. Today we still have an interim chancellor with no timeline to search for a permanent chancellor. Indeed some of you still question the need for independent and focused leadership for the flagship campus of a research-intensive university. Budgetary shortfalls and deferred maintenance remain unresolved, with academic units being predominantly targeted to solve the budget crisis through increased tuition revenue, restricted hiring of qualified tenure-track faculty, and the prospect of imposing larger classes on students with increasing reliance on contingent faculty. Quality administrators and faculty continue to be driven from the University. Flawed data are continued to be used by senior administrators in presentations to the Board to blame faculty and certain deans for budgetary shortfalls and student achievement failures, when in fact faculty are the ones responsible for the successful education of thousands of students and generation of hundreds of millions of dollars in grants and contracts awarded to the university.

Faculty desperately want students to succeed in classes and graduate in a timely manner, however, we are not willing to sacrifice quality education in the headlong rush to grant diplomas as a measure of our success. That type of thinking is akin to the Wizard of Oz telling the Scarecrow that he doesn't need a brain, he just needs a diploma! Likewise, successful research efforts, which elevate the status and usefulness of the university to Hawaii and the world, cannot be measured by dollars alone and require enlightened leadership, time, and creativity by faculty, things which cannot be achieved by fiat.

Last September we submitted a number of suggestions to the regents and legislature (attached). Little, if any of what the Senate proposed has been acted upon, with the possible exception that the Board has indeed reduced the excessive level of secrecy and discussion in executive session, for which we congratulate the Regents. I further applaud President Lassner's request today to the Board to definitively decide the fate of the Mānoa Chancellor's position and to begin the process of reducing administrative duplication and cost as important steps. However, much more needs to be done and in the spirit of last year's MFS resolution, we urge you to work towards solutions to the following issues:



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1. Develop a structure whereby the leader of the flagship Mānoa campus directly reports to the Board of Regents with appropriate faculty governance as a key component.
2. Provide a mechanism for faculty input and communication directly with the BoR.
3. Impress upon administrators the importance of supporting the faculty senate's important role in the evaluation and approval of Mānoa's budgetary strategic prioritization, policies, and campus organization, as well as in the recruitment and evaluation processes for administrators, both interim and permanent.
4. Target cuts in administrative costs at both Mānoa and the system as the first step in dealing with budget shortfalls within the system. In particular, eliminate duplication in administrative functions between the system and Mānoa, with those functions that primarily affect Mānoa educational and research activities to be transferred to Mānoa oversight and administration.

Attached is additional material on some suggested ways to achieve these goals. With regard to the last point, the request from President Lassner is a good starting point assuming it will involve significant faculty input, however, the proposal before you today to increase executive paychecks by over \$1 million is unconscionable in light of what academic units have been made to endure to help solve a budget crisis that apparently, according to some, no longer exists. Furthermore, it is a slap in the face to see the list of recipients that includes names of individuals whose performance has been found lacking by faculty and staff, yet are portrayed to the media as "outstanding". If I had standards that low in the classroom, everyone I teach would be getting A+'s. It is vital to the State of Hawaii that UH Mānoa remain strong and committed to excellence in all that we do as a research-intensive university. In my experience, achieving excellence requires listening to those most responsible for carrying out the mission of the organization.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert V. Cooney".

Robert V. Cooney, Ph.D.
Chair, University of Hawaii at Mānoa Faculty Senate

Resolution to Forward Recommendations from the Manoa Faculty Senate to the Board of Regents

Whereas, the Manoa Faculty Senate wishes to cooperate with the Board of Regents insofar as this is possible to improve the governance and operation of the University of Hawaii at Manoa;

Therefore, be it resolved, that the Manoa Faculty Senate approves the "Recommendations for the Reestablishment of Confidence on the Part of Manoa Faculty in the Board of Regents" and urges that the Board of Regents engage in a conversation concerning them with the Senate Executive Committee.

Recommendations for the Reestablishment of Confidence on the Part of Manoa Faculty in the Board of Regents

Background:

In recent years, the University of Hawaii at Manoa has suffered from unusual, even unprecedented, interference in its decision-making processes by the UH system President and the Board of Regents. These intrusions undermine the authority which is officially and quite properly delegated to UH Manoa and cast into doubt its institutional integrity. As a result, there is a growing danger that UH Manoa will soon be judged unable to satisfy Standard 3 of WASC accreditation requirements, which states that all accredited academic institutions must have "clear roles, responsibilities, and lines of authority," especially in a university system with multiple campuses. As the flagship campus for the UH system, UH Manoa is not only the largest and most complex of the campuses, it conducts the vast majority of research in the state, and is the primary source of faculty for the other campuses. Actions that call into question UH Manoa's integrity thus threaten the viability of the UH system as a whole.

The University of Hawaii at Manoa requires a strong and qualified leader that has appropriate authority and responsibility over all aspects of the operation of the campus. Over the past decade, UH system presidents have eroded UH Manoa's autonomy. (1) One former system president elevated all community college provosts to the position of chancellor, placing each of them on a par with the UHM chancellor, and in so doing diminished the latter's importance in negotiations within the system. (2) The same former system president informally stripped the UHM chancellor of nearly all decision-making authority, and let it be known that the system president was in charge of UH Manoa. (3) One former system president usurped the UHM chancellor's authority over UHM Athletics and took it upon herself to negotiate conference

affiliations for UH Manoa athletic teams. (4) The current system president, while still interim president, overrode the former UHM chancellor's decision to remove a director of a UH Manoa unit for good cause—a clear violation of line authority. And (5) the current president, upon attaining that position, immediately removed the UHM chancellor without sufficient consultation with UH Manoa faculty, students, and other important constituencies, as is called for by “shared governance” principles that are explicitly laid out in the AAUP report, “Faculty Participation in the Selection, Evaluation, and Retention of Administrators” (1981). This insufficient consultation, moreover, clearly violates the UH Board of Regents' own delegation to UHM faculty of a role in the evaluation of campus administrators, which is found in its “Policies and Bylaws” Chapter 1-10.

The UH Board of Regents has contributed significantly to this erosion of UH Manoa's autonomy, and not merely by complicit approval of the system president's actions. The BoR (1) approved the elevation of the community college provosts to the position of chancellors, (2) approved the system president's meddling with UH Manoa Athletics, and (3) not only approved, but contributed to, the overriding of the UHM chancellor's attempt to remove a UHM unit director. In addition, the Board of Regents (4) established a BoR committee structure (including committees “overseeing” athletics and academic affairs) that all but guarantees BoR meddling in UH Manoa operations. (5) The Board of Regents just recently appointed a system presidential selection committee that included not a single faculty member from UH Manoa (again abrogating AAUP-specified “good practices”), and then changed its own rules regarding the eligibility of the interim president to stand for the permanent position at the behest of a group of Manoa deans who completely bypassed the UHM chancellor's office in the process of putting forward their recommendation. (6) The Board of Regents refused to scrutinize with due care the system president's dismissal of the UH Manoa chancellor, despite its weak basis, questionable motivation, and the powerful objections raised against it by recognized UHM faculty and student organizations. And finally (7) the Board of Regents established a working structure that has no line of communication with the UHM chancellor or faculty.

The position of the UH system president and the policy direction of the UH Board of Regents both require redress in light of the danger that their recent actions pose to the autonomy and integrity of UH Manoa. The UH Board of Regents can strengthen both UH Manoa and the UH system by implementing the following changes:

- (1) Limit, through policy, the UH system president's ability to directly manage UH Manoa.
- (2) Ensure that line authority is clear on decisions and that subordinates cannot “go around” the UHM chancellor to the system president or the BoR. At present, this “going around” undermines disturbingly the UHM chancellor's authority. It should be board policy to tell subordinates to speak to their administrative superior.
- (3) Eliminate the BoR committee structure instituted after the “Wonder Blunder.” That event was an aberration. The current BoR structure encourages interference in, and the

micromanagement of, UH Manoa campus operations by board members who are not necessarily, simply by virtue of their being regents, qualified to serve as university administrators.

- (4) Reduce the amount of board business conducted in executive session, to comply with the spirit of Hawaii's "sunshine" laws.
- (5) Advocate for (possibly non-voting) UH Manoa faculty representation on the Board of Regents. The faculty perspective is every bit as important as is the student perspective and, if anything, is likely to be even less well understood by regents coming from a background in business or politics in the absence of a strong advocate for faculty concerns—someone whose presence would be indispensable when the BoR does withdraw into executive session discussions.

Appended Material II

The following represent different ideas for improved communication between regents and faculty and for the running of the university. The purpose here is to initiate discussion to find common ground for moving forward. The list is merely a guide for additional discussion, however it is hoped that concrete steps will be taken to achieve these goals, whether they be the ones listed or alternative ideas.

1. Develop a structure whereby the leader of the flagship Mānoa campus directly reports to the Board of Regents with appropriate faculty governance as a key component.
 - a. Separate UH Mānoa from the system with a separate Mānoa Board of Regents
 - b. Have the Mānoa Chancellor attend all meetings with the Board which include President Lassner. Have the Chancellor sit at the Board table as well
 - c. Separate the current board into three sub boards to oversee Community colleges, 4 year colleges and Mānoa.
 - d. Eliminate the perception that the Chancellor is merely one of the President's management team
2. Provide a mechanism for faculty input and communication directly with the BoR.
 - a. Provide for a voting member of the regents to be a faculty member
 - b. Provide a position of a non-voting faculty regent, selected by the faculty senate, possibly a former Chair that could bring broad faculty perspective to the Board,
 - c. Provide a set time in the BoR agenda for a presentation by the faculty senate chair with the possibility of questions from the board.
 - d. Increased interaction between regents and faculty, either formally at SEC meetings or informally at potential social gatherings.
 - e. Invitation of relevant Senate standing committee chairs with time to address Board issues at Board committee meetings
3. Impress upon administrators the importance of supporting the faculty senate's important role in the evaluation and approval of Mānoa's budgetary strategic prioritization, policies, and campus organization, as well as in the recruitment and evaluation processes for administrators, both interim and permanent.
 - a. Seek input from faculty on evaluation of administrators and weigh it heavily.
 - b. Require faculty input in facilities decisions, program development and elimination and all budgeting decisions.
4. Target cuts in administrative costs at both Mānoa and the system as the first step in dealing with budget shortfalls within the system. In particular, eliminate duplication in administrative functions between the system and Mānoa, with those functions that primarily affect Mānoa educational and research activities to be transferred to Mānoa oversight and administration.
 - a. Seek adequate funding for core missions of the university, not just new initiatives
 - b. Cannibalize superfluous administrative functions throughout the system first before impacting core academic and research missions.
 - c. Provide more autonomy to the lowest levels of the university that will enable innovative and quicker solutions to problems