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Subject: Bigelow post, attachment 4: FW: Dear UPBC, Plan for moving forward

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Sent: Sunday, April 21, 2019 9:34 PM

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Subject: Dear UPBC, Plan for moving forward

Dear UPBC,

I promised to keep you in the loop, so I want to share with you my thoughts on what I think is the best way to move forward from this. I apologize in advance for the length of this email, but I ask for your indulgence because I feel it necessary to get my thoughts on record with you, so I ask that you carefully read it in its entirety. I have spent this holiday weekend consulting with the Faculty Senate Steering Committee, and I thank them for much sage advice. As for the senate, we have agreed that it would be premature to take this story to the floor of the senate tomorrow because there are many unknown pieces of this puzzle, and to make it public now would likely do more harm than good. The strange thing about this episode is that while I can see truth in parts of the story on both sides that I believe are legitimate issues that we could work on, which I will describe below in detail, the response by the administration seems to be way out of proportion. We are still debating whether we should bring it to the senate floor for the next meeting but in the meantime we are trying to get a better understanding of all of the underlying issues. I know that you must be angry about this entire episode, but I ask that you bear with us as we plan what we believe is the best course of action for the sake of the entire university. I welcome your input into how we handle this, but I ask that you first listen to my ideas that I present in the rest of this letter.

The plan I intend to embark on is to take the high road. Most of us have lived through years of toxic environment on this campus with previous administrations, and I do not think that any of us wish to go back to that atmosphere. I have great respect for many of the things that President Toro has done, not the least of which is her willingness to take on the difficult challenge of clearing up years of hidden sexual harassment and bullying cases and trying to make the campus a much more inclusive and safe place to study and work. Overall, I have seen a much improved atmosphere on the campus since President Toro arrived, and while some of us may feel that the honeymoon is over, that does not mean that we have to head directly to divorce court. No relationship is perfect, and while there are many positive things I can say about President Toro's tenure, I think this episode with the UPBC represents a serious problem, but I do not think it is an insurmountable problem. I do not wish to damage all the positive things we can achieve, and for that reason I think we need to be very careful with how we move forward. I think we all realize that the university we all love is facing challenges on many different fronts, from the BOR, from the painful budget cuts from the state, from the decrease in students of college age that require us to be more competitive to attract those students, from the challenge of the public relations hits we take when we do the right thing in relation to exposing sexual harassment and bullying on campus, and finally our own desire to have a university that we are all proud of. For this reason I am hesitant to add to these challenges by making a public spectacle of this dispute; I think it is a better strategy for us to keep the good parts and work constructively on the bad parts.

As an example of what I mean when I say sticking to the high road, I first need to draw your attention to the 2nd to last sentence of the President's response to me. "You can continue the tradition of our institution which has been for faculty and administration not to have a productive and collegial working relationship". I have many colorful adjectives that I could use to describe this statement, I will leave it to you to fill in the adjective of your choice. Let me simply say that that nothing could be further from the truth. I have had the opportunity to work with most members of the administration, many members of the administrative faculty, many members of the teaching faculty, and many students, and I what I have seen is people who are highly competent at their job, who feel that their particular job is vital to the success of this university, and who take pride in doing what they can to make this university the best possible university. Yes, because all of these people are highly intelligent and have different perspectives to contribute the problem, there will be different opinions on the solutions to different problems. In a healthy environment, we should have the ability to be free to express different opinions in a constructive manner without fear of recrimination. I intend to fight for this healthy environment.

I have heard that a mass resignation from the UPBC as a form of public protest is being contemplated. and I

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understand why you would feel that way, but I encourage you not to do so. I worry that in addition to making this event glaringly public at the expense of returning the campus to a toxic atmosphere, I also worry that would it send the wrong message that the faculty are not willing to do our part for shared governance. The UPBC serves a critical role in support of shared governance, and I think we must continue to do our part in the best way we can. Yes, the President has repeatably said to me that she does not trust the advice given to her by the UPBC and that she is not able to work with the UPBC, but I think that shared governance is a two-way street. We need to continue doing our part, and we can still make positive impact because there are many members of the administration who absolutely appreciate the value of having multiple voices working on problems. I do not wish to silence our voice. Threats of not working with the UPBC notwithstanding, I think your voice is needed for our work on the Strategic Plan for the benefit of the entire University. As much as I understand that it might appear to be frustrating to do the amount of work that is being asked of you if you are going to be ignored, I truthfully have been very satisfied with how the work was done in the Strategic Planning Steering Committee last fall, and at that time there was a good atmosphere of shared governance on this issue with every attempt being made to make sure that all voices were being heard and taken into consideration. I hope that process continues in the same way, but it cannot without your contribution in the UPBC.

Now I would like to comment on the actions of your committee chair and representatives to the IPC. I have the greatest respect for Lisa. She suffered an attack on her ethics not once, but twice in the IPC in front of the entire ExCOMM, faculty, and student representatives. I have discussed this at length with her since this first started 3 weeks ago, and I would like to explain that her resignation was not in any way a desertion of the UPBC, instead she felt that there was no way to repair the professional relationship between her and the President and that the best thing for her to do was to step away so that there could be a possibility of resolving this issue without dragging the entire university down into a toxic environment. Lisa really took one for the team, and I am eternally grateful to her for making that attempt to neutralize the situation, but it did not help. Thank you Lisa. And I also want you to understand what a great colleague and leader you have in Joe Farhat who has worked tirelessly to help me find a solution to this problem. Joe was put on the spot twice in the IPC to defend the UPBC against accusations of a conspiracy to be intentionally disrespectful to the President herself and of malfeasance directed against specific division heads. Joe did not deserve to be placed in that unbelievable position, but he has always defended the integrity of this committee. Thank you Joe. I apologize if any of you are upset that the three of us did not immediately come to you with all these details as soon as it happened, but please try to understand that we were in shock and have been trying to seek the best possible solution while doing our best to understand the perspectives of all sides. I would also like to note that I did not directly include the three ex officio members of the UPBC, but it is not because I do not trust them, it is because I do not wish to put them into an uncomfortable position. Unlike those of us on the faculty, they do not have our strong unions that will serve to protect us from potential retaliation, so I think you all understand that their jobs are vulnerable. I have a very strong working and personal relationship with all three of them, so I do not want you to infer differently.

It was in this light that I came to you last Tuesday with a goal of explaining what I see are some valid complaints about the UPBC report. A comment from the Steering Committee was that at times the report reads as if a grumpy professor were lecturing their students, but of course that is exactly what faculty written reports typically look like and the response to this seems to be disproportionate. While I do not support the notion that the report should be completely sterilized of any appearance of differing opinion, I wonder if in the interest of taking the high road that it would be wise to consider revising the report to remove what could be taken as disparaging or representing incomplete reports of events. One of the most controversial items is the discussion of the media center reorganization. While I have no reason to dispute the events detailed from the perspective of the UPBC, I also agree that because it is not possible for the administration to reveal their perspective of the broader issues related to the reorganization because of human resources confidentiality requirements, so I agree that it is unfair to present only one side of the story in a public document where it might be interpreted as the entire story. Again, I do not wish to ask the committee to remove any factual information or recommendations that you wish to make, but I do think that removing certain commentary that can be misconstrued could go a long way in helping us move forward in a positive direction. And let me put this out there at the risk of being attacked for this statement, but it has been my observation that many members of the administration are working in a constant environment of fear over losing their jobs at any moment, and thus are greatly concerned at having any comments written about them in a public document that could put them in a bad light. So I think that taking the high road means making sure that we protect not only the faculty, but we also must be careful to protect the reputations of the administration that we are trying to work with in the interest of shared governance.

Beyond that, I am concerned with how this relates to problems of shared governance and I would like to specifically comment on what I understand of the President's statement in the last paragraph of her email about "I will take to the IPC the changes to the process.". Before explaining what I think that statement means, let me also comment on what was stated as an example of the crown jewel of shared governance, the Committee on Administrative Appointments. It is true that the current administration has used this committee more than the past administration, at least from what I understand of the past administration, but it is not a perfect example of shared governance. It is true that the President has called meetings with this committee several times, but they always occur at the very end of the hiring process and the President describes what she likes and dislikes about each candidate, and then asks the committee to confirm her final judgement immediately before the offer is going to be made. To me the represents a very superficial example of shared governance, and I believe that a more meaningful approach would be to seek advice from the committee at the beginning of the search process so that we can advise on what type of candidate should be sought. From what was said in the IPC, I believe that a similar model is what the President has in mind for "changes in the process" of the UPBC. In short, I believe this new process would be that all line item debate on the budget would occur between the President and the Department heads, and the final budget would then be presented to the UPBC by the President. I may be wrong, but this seemed to be what was being presented, and if so would not be a very meaningful role for the UPBC and would miss the essential concepts of shared governance. As I said on Tuesday, I personally feel that there are better ways than the process we have now, but I think we need to develop an alternative if we do not like

this plan if it is forced upon us.

Finally, based on the experiences of the last three weeks I would like to make some suggestions as to how future meetings of the UPBC should be run, at least in my opinion. The first is that I want to warn you to be very careful of what is in your minutes. The suggestion from Roberts Rules of Order are that the minutes should indicate only what was done at a meeting, not what was said by individual people. The reason for this is that when people's words are paraphrased there is always a chance that those words can be taken out of context. This could be true even when an exact transcript is made because the reader cannot always tell that something may have said in a spirit of sarcasm, and body language is not contained in the written word. It is the committees prerogative to add a summary of what was said if you find that useful, but I ask that the leadership make sure that everyone is aware of that fact and everyone makes a dedicated effort to check the minutes of each meeting to make sure they are not misquoted or that it could be taken out of context. This has recently happened to me and I do not wish it to happen to you. The unfortunate thing is that this can also put a damper on the sense of freedom of expression within committee meetings. The unfortunate thing is that this can also put a damper on the sense of freedom of expression within committee meetings. I also encourage the committee to make sure that they are following stringent rules of committee procedure, and if you would like something to not be in the minutes please make it clear that it is "off the record", and if you want it on the record please be sure to make it clear that you would like "the record to reflect this". It would also be a good idea if the minutes would specifically indicate if someone recuses themselves from any discussion and the reason for this recusal, so that in the future there would be evidence in case of accusations of inappropriate bias by people with a perceived conflict of interest. I would also like the minutes to make it clear that a quorum exists for all votes, as this is one of the most important safeguards against charges of bias. It goes without saying that no decisions may be made without a quorum, but it would be extremely useful if the minutes make this absolutely clear.

I have taken enough of your time, but I hope this helps you understand a bit of what has been on my mind. Again, I understand how hard this committee has been working and I want you to know that I really appreciate your efforts.

Sincerely

Mark

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