

# Re: Presidential Search Process

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Mailbag\_Message\_ID 19

Message\_ID <B9BF38E7004AE041B04DBE7AB05D7D7702C14E1B@wwwmail.suny.edu>

From "Bernstein, Aimee" <Aimee.Bernstein@suny.edu>

Date 2011-12-19 16:11:14+00:00

To <sfessler@albany.edu>; <amull@albany.edu>; <presmail@albany.edu>; <amasters@albany.edu>; <andi@albany.edu>; <bbarksdale@albany.edu>; <cmacdonald@albany.edu>; <pabraham@albany.edu>; <cwagner@albany.edu>; <ddwhite@albany.edu>; <dleonard@albany.edu>; <elifshin@albany.edu>; <gcameron@albany.edu>; <hnicholls@albany.edu>; <jcastracane@albany.edu>; <jmalatesta@albany.edu>; <nnewman@albany.edu>; <sdphillips@albany.edu>; <sshahedipour-sandvik@albany.edu>; <tgroves@albany.edu>; <ygulatee@albany.edu>

Cc <tminor@albany.edu>

Subject Re: Presidential Search Process

Hi all and thanks for your diligence in getting this process successfully completed. I do not have a criteria/definition for diversity but agree that it encompasses all the factors you raise: gender, ethnicity, discipline, academic unit, etc.

I defer to your good judgment.

Thanks.

Best,  
Aimee

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**From** : Fessler, Susanna [mailto:sfessler@albany.edu]

**Sent** : Monday, December 19, 2011 08:49 AM

**To** : Mull, Aran C <amull@albany.edu>; Presmail <presmail@albany.edu>; Masters, Adrian <amasters@albany.edu>; Lyons, Andi <andi@albany.edu>; Barksdale, Bryant <bbarksdale@albany.edu>; MacDonald, Carolyn <cmacdonald@albany.edu>; Abraham, Philippe <pabraham@albany.edu>; Wagner, Christine K <cwagner@albany.edu>; White, Daniel D <ddwhite@albany.edu>; Leonard, Danielle R <dleonard@albany.edu>; Lifshin, Eric <elifshin@albany.edu>; Cameron, Gail <gcameron@albany.edu>; Nicholls, Heidi J <hnicholls@albany.edu>; Castracane, James <jcastracane@albany.edu>; Malatesta, JoAnne M <jmalatesta@albany.edu>; Newman, Nancy <nnewman@albany.edu>; Phillips, Susan D <sdphillips@albany.edu>; Shahedipour-Sandvik, Shadi <sshahedipour-sandvik@albany.edu>; Groves, Timothy <tgroves@albany.edu>; Gulatee, Yenisel <ygulatee@albany.edu>

**Cc** : Bernstein, Aimee; Minor, Tamra <tminor@albany.edu>

**Subject** : RE: Presidential Search Process

I think Aran's suggestions are all good, and hope that Tamra and Aimee can help us define what we mean by "diversity" in this case. My own impression is that we are working with a very large number of factors: gender, racial background, discipline, academic unit, etc.

One concern that I have is the variable of academic rank. I feel very nervous about putting someone of junior rank on a committee like this, even if that person said that he/she were willing to serve. The committee members should be free to express their opinions (which includes disagreeing with colleagues) without fear of future retribution or ramifications. And, even if a junior faculty member felt free to express his/her own opinion, he/she may regret it years later when up for promotion. In other words, I feel that putting a junior faculty member on the committee would be putting that person in a kind of jeopardy.

I think what Aran is suggesting--and I like it a lot--is a sort of decision tree or hierarchy that would help us navigate the process. Something like this:

Step 1:

Are the top 6 vote getters a diverse group (according to a pre-defined standard)?

If yes, then we're done.

If no, proceed to step 2.

Step 2:

Identify the group(s) underrepresented. Is there someone from those elected who falls into that group?

If yes and there's only one, substitute that person for the lowest vote getter of the non-diverse 6.

If yes and there are more than one, substitute the top vote getter of the two for the lowest vote getter of the non-diverse 6. Etc., etc. This would probably look cleaner in a diagram, but I hope you all understand the basic idea behind the suggestion.

So, we need to **define diversity** and **define the process of making a diverse group** .

We have the numbers necessary to figure out the proportion of faculty in each school. In theory, we have the numbers necessary to figure out disciplinary divisions, too, although it would require some work to compile all that because of the way the data is compiled.

Tamra, do you have figures for the teaching faculty in terms of race and gender?

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**From:** Mull, Aran C [amull@albany.edu]  
**Sent:** Monday, December 19, 2011 3:46 AM  
**To:** Fessler, Susanna; Presmail; Masters, Adrian; Lyons, Andi; Barksdale, Bryant; MacDonald, Carolyn; Abraham, Philippe; Wagner, Christine K; White, Daniel D; Leonard, Danielle R; Lifshin, Eric; Fessler, Susanna; Cameron, Gail; Nicholls, Heidi J; Castracane, James; Malatesta, JoAnne M; Newman, Nancy; Phillips, Susan D; Shahedipour-Sandvik, Shadi; Groves, Timothy; Gulatee, Yenisel  
**Cc:** Aimee.Bernstein@suny.edu; Minor, Tamra  
**Subject:** RE: Presidential Search Process

Hi Susanna:

I am fine with the proposal as far as it goes. I do think that there should be some sort of criteria established, prior to any members of the SEC knowing who was elected, regarding how the SEC would choose appointees if it were determined that the elected persons were not appropriately diverse. Making the initial decision as to whether the group is appropriately diverse by vote of the SEC would be fine. However, there should be some standard we would apply in the event that we do determine that diversity is lacking before we see the names to avoid any appearance that the SEC chose favorites " most particularly since doing so would be acting against the expressed will of the faculty.

Is there specific language Aimee Bernstein used to detail the diversity requirement that may aid us in that regard (and give us something to hang our hat on if there are any objections raised)? And Tamra may have some language that can help us establish a criteria/standard.

We should also have an idea of what the makeup of the teaching faculty is prior to the SEC meeting to review the names so we have some idea as to what level of diversity on the committee would appropriately reflect the diversity of the teaching faculty.

Aran

**From:** Fessler, Susanna [mailto:sfessler@albany.edu]  
**Sent:** Saturday, December 10, 2011 10:43 AM  
**To:** Presmail; Mull, Aran C; Masters, Adrian; Lyons, Andi; Barksdale, Bryant; MacDonald, Carolyn; Abraham, Philippe; Wagner, Christine K; White, Daniel D; Leonard, Danielle R; Lifshin, Eric; Fessler, Susanna; Cameron, Gail; Nicholls, Heidi J; Castracane, James; Malatesta, JoAnne M; Newman, Nancy; Phillips, Susan D; Shahedipour-Sandvik, Shadi; Groves, Timothy; Gulatee, Yenisel  
**Cc:** Aimee.Bernstein@suny.edu; Minor, Tamra  
**Subject:** Presidential Search Process

SEC Colleagues,

As you know, the President has announced his intention to retire, and yesterday the University Council sent out an e-mail to the UA Community announcing the beginning of the search process to find a new president. I'm writing today to bring you all up to date on this process, and also to begin a conversation in the SEC about our own procedures. This e-mail will be lengthy, but I hope you'll read it through to the end because the SEC has a very important role.

The SUNY Board of Trustees have Guidelines on Conducting Presidential Searches. These guidelines are available in full online at [http://www.suny.edu/sunypp/documents.cfm?doc\\_id=573](http://www.suny.edu/sunypp/documents.cfm?doc_id=573). Although these Guidelines are currently undergoing some revision, I have met with the Chancellor's liaison for the search, Associate Vice Chancellor Aimee Bernstein, who assures me that the revisions will not adversely affect what we do. In other words, the changes appear to be small--

whatever they are--and additive in detail without changing overall suggested guidelines. You will see Aimee copied on much of our correspondence about the search.

I'd like to walk everyone through some parts of these guidelines, in part so you know what to expect and what our responsibilities are, and in part because the Senate will be key in keeping the campus informed about the process. We are, in essence, the campus liaisons.

The Guidelines state:

The legal authority to appoint the president or chief administrative officer of a state-operated campus of the State University of New York is vested in the University Board of Trustees by Section 355(2)(g) of the NYS Education Law. **The council of each such campus is given responsibility for recommending a candidate or candidates to the Board by Section 356(3)(a).** Section 6004 (c) gives this same power to the Trustees of the College of Environmental Science and Forestry. The Board of Trustees may also appoint a president or chief administrative officer in the event that no council recommendation is made, or where a council recommendation fails to comply with the Trustees' standards and procedures.

Some of you might not know the first thing about the University Council. If that describes you, I encourage you to look at the Council's website at <http://www.albany.edu/council/>, particularly the "Powers & Duties" section. The "take away" from all this is that the Council runs the search. The Presidential Search was discussed at yesterday's Council meeting, the minutes of which are public record and will be posted online at <http://www.albany.edu/council/meetings.shtml>.

The next part of the Guidelines reads as follows. I'm inserting comments where appropriate, in blue.

### **Preliminary Steps in the Search Process**

1. As soon as is practical after it is known that a presidential vacancy will occur, the council chair shall consult with the chancellor for advice and instructions in planning the search and the criteria to be used in the selection of a new president.

This has happened, but there is a small issue I feel I should mention. Technically, our Council does not have a Chair. Dan Tomson is the Vice Chair, and for a few years now has taken the duties of the Chair. A Chair is not elected by the council, but rather appointed by the Governor, who has not appointed a Chair (yet). I do not think this will become problematic, but I wanted to mention it so that it is out in the open.

2. Unless otherwise agreed upon in advance by the chancellor and the council chair, the search committee shall consist of four members of the council (including the chair), **six members of the full-time teaching faculty of the campus**, one student, one alumni representative, one campus-related foundation representative, one academic dean, and **one professional or support staff member**.

The Senate's responsibility is to provide the six members of the full-time teaching faculty. Because our Senate includes professional faculty, I have also asked the Council if it wants the Senate to be responsible for providing that name as well. In the past I believe that we have, but the decision on that lies with the Council.

3. The council chair shall appoint a chair of the search committee. Generally, the council chair also serves as the chair of the search committee. If the council chair is unwilling or unable to serve as chair of the search committee, the council chair shall appoint another member of the council to serve as chair of the search committee.

4. Taking care to assure that faculty representation on the search committee speaks for a broad spectrum of faculty opinion, the faculty shall elect its representatives to the search committee by secret ballot at an open session of the faculty governance group, at which a quorum of the teaching faculty are present. The council chair shall invite the appropriate campus and community groups to submit recommendations for all other positions on the search committee, and shall make the appointments to the remaining positions on the search committee from the recommendations submitted.

As I'm sure you can imagine, this is the key section for the Senate--I'll address it in detail below.

5. The Chancellor shall designate a liaison representative to serve as a nonvoting member of the presidential search committee. That representative shall have full access to the files of the committee, and shall be responsible for reporting at regular intervals to the Chancellor and the Trustees regarding the progress of the search and the work of the search committee.

6. The council chair and the Chancellor, or the Chancellor's representative, shall agree on an expected timetable for the search and nomination process.

7. The Chancellor's office shall provide a list of nationally recognized organizations with established expertise in academic recruitment and screening from which the council shall select one to assist in its search.

The Council will send out RFPs to search firms. It is obligated to grant interviews to any firm that submits a proposal, and then it will choose one firm. This will be happening in the next month or so.

8. A campus staff liaison shall be appointed to assist the search committee and to coordinate the clerical work of the committee. A budget for the search should be determined in conjunction with the chief financial officer of the campus and arrangements made for a search office and support staff. The budget should be sufficient to cover the cost of hiring a professional search consultant, advertising the position, travel of candidates to interviews as well as the usual telephone, postage and duplicating expenses associated with a search.

Sorrell Chesin has begun work on this. We will soon have a web page for the search, with regular updates posted on developments. I will also put a link to that page on the Senate website. Apropos of all this, I wanted to emphasize that the Council has stated its commitment to transparency in the search process.

Now, to return to point 4 above:

"Taking care to assure that faculty representation on the search committee speaks for a broad spectrum of faculty opinion, the faculty shall elect its representatives to the search committee by secret ballot at an open session of the faculty governance group, at which a quorum of the teaching faculty are present."

We do have some precedent with which to work, but it is not binding. This sentence asks us to forward six names that speak for the faculty. Aimee Bernstein has emphasized to me that diversity of this group is also important. The caveat is that those names must also be the result of an election. Not to put too fine a point on it, but an election cannot guarantee diversity. So, **I have a proposal and need the SEC's input on this**. I'm attaching it as a MSWord Document. I have also spoken with Tamra Minor, Vice President for Diversity and Inclusion, about this issue and am copying her for her feedback. Because we do not have another SEC meeting until the spring term, this conversation will have to be done electronically. Please "reply all" when you respond. Eventually, after December 19th, I will call an electronic vote by the SEC on the procedure and then proceed as appropriate.

Time is of the essence in this matter. Because the election must happen at an open Senate session with a quorum, I am planning on holding this election at the February 6th Senate meeting. This is the first meeting of the spring semester. The following **Wednesday, February 8th, I would like to call a special meeting of the SEC at 2:45 p.m.** for the purpose of finalizing the list of six names. **Please mark your calendars.** The University Council is eager to move on this search, and our contribution of six names will be one of the last pieces in place.

**Action items from this e-mail for SEC members:**

- **Review the attached document and make comments by December 19th**
- **Mark your calendars for a special SEC meeting on February 8th, location TBD**

Thanks to everyone for your commitment in this endeavor!

Susanna

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