

To: CCSU Faculty Senate
From : Candace Barrington, President

Subsequent to the 7 December 2009 CCSU Faculty Senate meeting, when I presented my concerns about developments within the CSU System Office and the CSUS Board of Trustees, there have been several developments that you need to be aware of. First, though, let me remind you of my two primary concerns. One was the retention bonus the BOT's Executive Committee agreed to award Chancellor Carter for not retiring. The second is the same Executive Committee's decision to grant Chancellor Carter the power to fire the CSU presidents without cause and with little notice. For the minutes to the 1 October 2009 meeting where these decisions were made, please see <http://www.ctstateu.edu/trustees/documents/EC-Minutes-October-01-09.pdf> .

Now for the subsequent developments. First, CCSU's valiant student newspaper was the first to break the news. Within hours of its publication, the four CSU campuses received a letter from BOT Chairman Krapek addressing the question of Chancellor's bonus and asserting that no bonus had been paid and would not be paid until better financial times, and might not ever be paid, given projected economic conditions. (See Appendix B.) Later that week, I received a phone call from the Associate Vice Chancellor for Human Resources and Labor Relations, David Trainor.

On 17 December, the CSU-AAUP Council voted to convey to the Chancellor and the BOT three concerns:

- The questionable decision making of the Board of Trustees in granting a retention bonus to the Chancellor;
- The recent changes in policy for the non-continuation of campus presidents; and
- The emerging trend away from shared governance toward System centralization and overbearing System involvement in hiring University administrators and faculty.

At the request of CSU-AAUP, Chancellor Carter convened a meeting on 6 January with faculty leadership from all four campuses. (More on this meeting later.)

Finally, the CSU Board of Trustees will meet at CCSU on Wednesday, 10 February at 10:00 in Alumni Hall. At the time I write this letter, an agenda has yet to be posted on the CSU website. It is my hope that the three concerns identified by CSU-AAUP will be on the agenda and addressed by the BOT. Whether or not they are, I plan to be at the 11:00 question and answer session. **I want to make certain the BOT understands the Executive Committee's October 2009 decisions are antithetical to the best interests of a vibrant university community. I encourage you to join me.**

At this point, you may be wondering why you should bother. No bonus was paid. And the Chancellor has been willing to meet with CSU-AAUP representatives. Let me explain.

Although the chairman has essentially withdrawn the bonus from immediate consideration, plenty of questions remain:

- Does Chairman Krapek not realize that we are all working hard under the new fiscal realities?

- How did singling out the most highly paid individual for a bonus (whether it was paid or not) accord with the sense of unity and shared sacrifice we've been told to embrace?
- On what criteria did the BOT determine that the chancellor had provided extraordinary leadership?
- And most importantly, how did the BOT Executive Committee expect the public, the campuses, the legislature, and other members of the BOT to respond to the bonus?

No doubt, Chairman Krapek and the Executive Committee think the Chancellor is doing a heck of a job. Whether we agree with that assessment or not, the Chairman and the Executive Committee are obviously out of touch with the general public, as the series of articles, editorials, and opinion pieces in Connecticut newspapers demonstrate. (See Appendix A for links.) In these bad economic times, everyone in the state is struggling; this poor decision by the BOT Executive Committee has already begun to trigger resentment and makes CSU and its faculty look bad in the eyes of the public, who now have a signature case that we spend our resources foolishly and who likely will demand even more legislative oversight of our institutional operations. That the Executive Committee's decision is likely to remain only symbolic arguably makes matters worse, rather than better.

Although the bonus got the most attention, the much more worrisome issue is the centralization of power in the Chancellor's hands. The BOT Executive Committee has granted Chancellor Carter the power to fire campus presidents without cause, on little notice, and with agreement of only one person, the Chair of the BOT. Under this new arrangement, the dismissed president (and his/her university) would have no real recourse to any significant appeal process. With this power, the Chancellor need not fire anyone—he need only to threaten to fire that person, and any president who wants to save his/her career and get another presidency will "voluntarily" and quietly step down, citing family or health concerns.

All CSU employees should be disturbed by this power shift. It lets Chancellor Carter be the de facto, if not de jure, president at each of the four CSU universities by making it easier for him to dismiss a president who in any way resists or even questions the Chancellor's wishes or vision. I presume that the Chancellor can then name the interim president, probably someone much more likely to carry out the Chancellor's will. This new power arrangement created by the BOT is clearly untenable (unless they consider CSU one university with the four campuses as simply branches), for it undermines academia's long-respected tradition of shared governance by taking away each campus president's independence regarding any and all decisions. Any university body that comes to an understanding with its campus president about any particular issue may find that understanding revoked by the Chancellor's overruling the president's decision. All good faith negotiations with the administration on any campus now carry no weight because they are all subject to the dictates of the System Office.

Furthermore, after a president is gone (whether by "voluntary" means or not), the interim president can last indefinitely because the Chancellor can drag out a search and delay a hire for a long time. It is also likely that most people will perceive any interim

replacement as simply a lackey. Even a new president who is not officially "interim" is in effect "interim" because he/she can be dismissed with merely three months notice. (This three-month provision was another power granted in earlier years by the BOT to Chancellor Carter. Pre-Carter, the BOT policy was that that every dismissed administrator be given a year's notice, a much more professional situation; now, any administrator hired post-2006 need be given only three months notice, a situation almost designed to create anxiety about job security and to discourage independent thinking.)

SCSU Senate President, Brian Johnson, has reported to me that at the 6 January meeting, when CSU-AAUP President David Walsh asked the Chancellor to explain the rationale for this policy change, the Chancellor observed that the revised policy allows for greater discretion in the handling of Presidential non-continuation, thus ensuring that a CSUS President who might seek a position elsewhere has not been fatally stained by a Board vote that enters the public record. Hmm.

At this point, let me quote extensively from a letter SCSU Senate President sent to Chairman Krapek:

I acknowledge that a non-continuation decision—in effect, a firing—that is executed behind the scenes, by the Chancellor and BOT Chair, spares a President the prospect of personal embarrassment and professional ruin that might attend a full Board decision. Even so, I cannot help but wonder if the Board, in changing its policy, has unwittingly made a devil's bargain.

What do I mean? Well, for starters, the primary effect of the revised policy is to shift a critical decision-making responsibility from the Board to the Chancellor. If the Board hires Presidents, and if the Board conducts the four-year review of Presidents, then why should the Chancellor alone have the power to initiate a firing and to execute it with the concurrence of only the Board Chair? In appearance as well as in fact, the revised policy is inconsistent with the other elements of the Board-President relationship. The Board is ceding—relinquishing—its oversight responsibility, leaving the onus of non-continuation on the Chancellor while still retaining the power to hire and review. The faculty at Southern believe that each of these three critical and interlocking responsibilities should remain under the control of the entire Board. Granted, under the new policy the Board retains the option to vote on a Chancellor's non-continuation action, but even if it exercises this option—even if it decides to contest the wishes of the Chancellor and the concurrence of the Board Chair—the Board does so at the end of a process whose importance should require its participation from the outset. The earlier policy, prior to the 1 October revision, was more coherent in its view of the Board's role. It rightfully expressed the understanding that the full Board should initiate and be fully involved in decisions of non-continuation, just as it is fully involved in hiring decisions and fully involved in presidential reviews.

A second and equally substantial problem with the revised policy is that it accepts, as a political good if not a moral one, that the reasons for a Presidential

non-continuation should remain hidden. Although this strategy of maintaining silence may preserve a career, it also leaves faculty, administrators, and students, who are always deeply affected by a Presidential firing (or a discreetly arranged departure), asking why it happened and, in the worse case, questioning its legitimacy. When the motives for a decision made in the dark are never brought to light, people speculate about those motives. When people cannot see the evidence of fairness and due process, they are likely to doubt if fairness and due process were observed. When the decision resides primarily with one person, doubts increase. We are now likely to conclude that a wide range of variables unrelated to job performance may lead to a Presidential ouster. We are now likely to conclude that the Board's performance review is secondary to other considerations, which shall remain nameless, not open for discussion. We are now the recipients of a hidden decision. Will that inspire us to believe that the system is working, that what happens is good and fair? No.

Justice lives in transparency, and dies, sooner or later, in secrecy. If we reengineer a CSU system where Presidents serve at the pleasure of the Chancellor, and can be terminated at will, without justification, then we will be left with a CSU system of weak Presidents who lack the authority, the autonomy, and the confidence necessary to lead their universities. The faculty at SCSU cannot have faith in such a system, particularly in the midst of a budget crisis that calls for strong leadership—not only at the system office, but at the individual campuses, each of which faces its own challenges. I am writing to request, on behalf of the SCSU Faculty Senate, that you overturn the revised policy on Presidential non-continuation and restore the earlier policy. We believe that consistent, judicious, and open oversight of the Board is critical to preserving strong Presidential leadership.

To reiterate Brian Johnson's point: the gradual centralization of power affects every CSU employee. It inevitably alters the nature of shared governance at each institution and reduces each campus' autonomy, making us all subject to every ukase from the system office. That ultimately means less academic freedom for every one of us.

I find it difficult to believe that the Board members left out of the decision-making process—both in these most recent decisions and in future ones affected by the new policies—are happy about what's happening. Although their input was not sought regarding either the embarrassing bonus or the debilitating centralization of power, they are left looking responsible. I urge all of us to call upon the other BOT members to halt this centralization of power. If we wish to remain as four independent institutions in the CSU System, the new policy is simply unacceptable.

Appendix A

Matt Kiernan, "Alleged Chancellor Bonus Debated at Faculty Senate," *The Recorder*, 9 December 2009:

<http://centralrecorder.com/2009/12/07/alleged-chancellor-bonus-debated-at-faculty-senate/>

Jon Lender, "Bonus for Not Retiring is Questioned," *Hartford Courant*, 13 December 2009

<http://www.courant.com/news/breaking/hc-non-retirement-bonus-1213.artdec13,0,2789551.column>

Editorial: "College Cost Hikes are One Thing, but a Bonus?" *Hartford Courant*, 13 December 2009

<http://www.courant.com/news/opinion/editorials/hc-carter-bonus-csu-fees.artdec13,0,6575753.story>

Editorial, "Costs Rise, as Usual, at State Universities," *New Haven Register*, 19 December 2009

<http://nhregister.com/articles/2009/12/24/opinion/doc4b330460226b9676886955.txt>

Gary Crakes, SCSU, "CSUS Chief's Bonus Appalls," *Hartford Courant*, 20 Dec 2009

<http://74.125.93.132/search?q=cache:UAvLIApZqBoJ:www.courant.com/news/opinion/editorials/hc-crakes-carter-csus.artdec20,0,6773553.story+hartford+courtant+crakes&cd=1&hl=en&ct=clnk&gl=us&client>

"Rell Wants Tuition Capped, Costs Cut at State Universities," *New Haven Register*, 21 December 2008

<http://nhregister.com/articles/2008/12/21/news/a3-tuition.txt>

Editorial: "State Schools, The Other Bonus Culture," *Hartford Courant*, 23 December 2009:

<http://www.courant.com/news/opinion/editorials/hc-university-chancellors-pay.artdec23,0,1480059.story>

Colin McEnroe, "What's Really Behind the Horse Guard?" *Hartford Courant*, 27 December 2009:

<http://www.courant.com/news/opinion/editorials/hc-mcenroe-horse-guard.artdec27,0,5340958.column>

Steve Larocco, SCSU, Opinion Piece in *Hartford Courant*, 3 Jan 2010

<http://www.courant.com/news/opinion/hc-commentarylarocco0103.artjan03,0,4401579.story>

Appendix B

On 12/9/09 4:15 PM, "Miller, John (President CCSU)" <millerjw@mail.ccsu.edu> wrote:

Colleagues,
Chairman Karl Krapek of the Board of Trustees for the Connecticut State University System has asked that his message below be forwarded to the University community.

Jack Miller
President

In recent days, there have been questions raised that I would like to address. As Chairman of the Board of Trustees, and on behalf of the former Chairman as well, we were exceptionally pleased and relieved that Chancellor David Carter elected not to take the Retirement Incentive Plan offered by the State of Connecticut. It is our view that given the challenges facing the university system as a result of the state's ongoing fiscal situation, retaining an experienced, respected and extraordinarily knowledgeable leader at the helm is in the best interest of our students and our state. Recognizing Chancellor Carter's unwavering loyalty to the system, the Executive Committee voted to approve a retention award for the chancellor, to be carried out when we experienced better financial times ahead. Whether or not the Board will be able to follow through on that plan will depend upon the financial circumstances facing the system and the state. It should be noted that in fiscal year 2009, the university presidents and chancellor did not receive performance-based increases, by decision of the Board. In fiscal year 2010, the presidents and chancellor are again not receiving performance increases, for the second consecutive year. And to reiterate, Chancellor Carter has not received any money related to his decision not to accept the state's early retirement offer.

Karl J. Krapek, Chairman

CSUS Board of Trustees