

Report of the University of Iowa Faculty Senate's AAUP Sanction Removal Committee

On May 25, 2016, the national American Association of University Professors (AAUP) Committee on College and University Governance ended a summary of their subcommittee's investigative sanction report on the 2015 UI Presidential search with this conclusion:

The Committee on College and University Governance finds that the Board of Regents of the state of Iowa, in selecting the chief administrative officer of the University of Iowa, seriously infringed Association-supported standards of college and university governance. The committee recommends to the 102nd annual meeting that the University of Iowa be added to the Association's list of institutions sanctioned for substantial non-compliance with standards of academic government. The sanction is primarily directed against the Iowa Board of Regents.

On June 18, 2016, AAUP delegates at their national convention voted unanimously to approve the sanction of the University of Iowa. At that time, UI was one of only seven AAUP sanctioned universities in the US. UI Faculty Senate officers issued a statement after the AAUP sanction vote stating their belief that the sanction against UI was misdirected. Because governing boards are not sanctionable entities, the faculty of the University of Iowa chose to work towards the removal of the sanction.

During the first UI Faculty Senate meeting in Fall 2016 (8/20/16), Professor Joerg Tiede, Senior Program Officer in the Department of Academic Freedom, Tenure, & Governance at the national AAUP, was in attendance to answer sanction questions. During the discussion he gave the opinion that in order to remove the UI sanction, changes to existing Board of Regents, State of Iowa (BOR) policies would likely need to be made to bring the policies in line with the relevant standards and this would probably involve the Faculty Senate and the UI administration working with the Regents to accomplish this goal. After much discussion, the Senate voted to create an ad-hoc committee "to work toward a way to lift the sanction" and also charged "the Faculty Senate leadership and the Faculty Council to work with the University President and the Board of Regents to work toward removal of the sanction." Subsequently, Faculty Senate President Tom Vaughn appointed six members of the UI Faculty Senate to form an AAUP Sanction Removal Committee, giving it the charge to "to explore mechanisms and recommend appropriate actions aimed at the removal of the AAUP sanctions."

Five of the appointed ad-hoc committee members (Sandy Daack-Hirsch - committee Chair, Frank Durham, Russ Ganim, Ed Gillan, and Justine Kolker) met regularly starting in November 2016. The initial committee goals were to analyze the key components of the AAUP investigators' sanction report, to review AAUP and AGB (Association of Governing Boards) presidential search policies, and to document recent trends in UI presidential search committee process and composition. The committee met with the faculty co-chair of the 2016 University of Northern Iowa (UNI) search, Prof. Dan Power, to assess UNI faculty and search committee interactions with the BOR during their presidential search. In December 2016, the committee met with members of the local AAUP chapter to discuss the initial findings and plans to move forward to formulate a best practices presidential search document that could be incorporated into future BOR presidential searches at UI. Regular updates on the AAUP sanction committee's progress were reported to both Faculty Council and Senate by Chair Daack-Hirsch starting in Spring 2017.

The committee's review of the AAUP on-campus investigation report focused on its critical analysis of BOR actions regarding UI faculty and shared governance input in the 2015 Presidential search. The key

issues in the report became the focus of the committee's work and recommendations. The AAUP report's key points included: issues with faculty interactions with the search committee, lack of transparency in meetings and the selection process, concern around candidate qualifications and diversity, the premature disbanding of the search committee prior to on-campus interviews, not soliciting search committee reviews of candidates, and ignoring clear campus sentiment for/against specific finalists.

In light of this research, the committee worked during the Spring and Summer of 2017 to develop a presidential search best practices document that addressed key concerns noted in the AAUP sanction report. In late summer, two representatives from the Board of Regents, State of Iowa—Regent Sherry Bates and Chief Academic Officer Rachel Boon—joined the committee to provide important insight on BOR search processes and implementable policies and practices. This best-practices document addresses the key points of concern noted in the AAUP sanction report. It is consistent with general presidential search requirements found in the current Board of Regents policy manual section 2.1. While some of the focus of this document is on ensuring substantive faculty shared governance participation in a presidential search, we acknowledge that other constituent groups (e.g., students, staff, alumni, and community members) also play valuable and integral roles in a successful search process.

In addition to creation of a responsive, best practices presidential search document, the committee's analysis of recent past UI presidential searches and 2016-17 UNI and Iowa State University (ISU) presidential searches shows that successful searches typically include significant faculty and shared governance participation. Shared governance feedback on presidential search finalists appears to have returned as an important part of BOR processes. For example, in its search for the new UNI president, the BOR followed an open, collaborative process that emphasized transparency and faculty shared governance input. UNI faculty were pleased with both the search process and the outcome. The BOR followed a similarly inclusive shared governance strategy with regard to the subsequently successful 2017 ISU presidential search and this is further evidence of improved BOR engagement with shared governance. The importance of governing boards developing positive and significant direct engagement with faculty shared governance is a timely topic and is the subject of an October 2017 Association of Governing Boards of University and Colleges (AGB) Board of Directors' statement on shared governance.

The working relationship of the BOR with its Iowa regent institutions, including UI, appears much improved since the 2015 UI presidential search. Even as its membership periodically changes, the BOR has afforded several opportunities for Regent - shared governance interactions and constructive collaboration. The past two years have seen renewed interest and greater participation in shared governance. The level of trust, respect, and communication among faculty, senior administration, and the BOR has increased. One prominent example is that of the process for developing the UI's 2016-2021 Strategic Plan. This process rested on open deliberation among a wide variety of stakeholders over a number of months. The BOR approved the UI Strategic Plan in late Fall of 2016. Its values and principles have laid the groundwork for current campus-wide initiatives involving the budget and future academic organization. Another example is the ongoing practice of faculty meetings with the BOR at each regular on-campus board meeting. The UI campus appears to be entering a new chapter of trustworthy, respectful, and open communication among UI faculty shared governance, Presidential administration, and BOR leadership and staff. Engagement and interaction among faculty and administration/BOR continues (e.g., strategic planning initiatives, budgeting, campus reorganization, participation in high level administration searches, etc.).

The presidential search best practices document reflects work done over the 2016-2017 period by the University of Iowa Faculty Senate Ad Hoc AAUP Sanction Removal Committee. The committee's charge was to explore mechanisms and recommend appropriate actions aimed at the removal by the AAUP of its sanction of the University of Iowa. This document was designed to address key concerns from the national AAUP investigation report. Based on extensive, comparative research, the document represents the synthesis of principles and best practices for hiring university presidents drawn from a range of sources, including AAUP's *Policy Documents and Reports*, guidelines for Presidential Search Best Practices developed by faculty at Saint Louis University, an analysis of previous Iowa Board of Regents searches for University of Iowa Presidents, review of BOR policy manual requirements, the AGB publication, *A Complete Guide to Presidential Searches*, and the AGB Board of Director's *Statement on Shared Governance*.

It is important to emphasize that the committee recognizes that the selection of a UI president is one of the most important duties of the Iowa Board of Regents. This best practices document aims to ensure that future presidential searches uphold principles of shared governance and faculty interactions with the BOR. This document reflects a logic intended to achieve the removal of the AAUP's sanctions on the University of Iowa, which has the potential to enhance the future recruitment of the best talent to the University. To that end, the committee worked to create a well-reasoned document that can accomplish the dual objective of (1) proposing this document to the Board of Regents as a summary of best practices search procedures, including those practiced here, and (2) showing the national AAUP that the University of Iowa and the Board of Regents has developed guidance aimed at assuring successful outcomes in future presidential searches based on a close collaborative approach with faculty shared governance.

The presidential search best practices document is the product of close collaboration of the AAUP sanction removal committee and Iowa BOR representatives, with key input from the local AAUP chapter's executive committee. The Faculty Senate approved the document on February 13, 2018. It is the Sanction Removal Committee's expectation that the presidential search best practices document will serve as a strong platform for future constructive and collaborative symmetrical interactions between UI faculty shared governance and the Board of Regents, State of Iowa.

On June 16, 2018 delegates to the 104th Annual Meeting of the American Association of University Professors voted, unanimously to remove the University of Iowa from the list of sanctioned institutions.