November 8, 2013

TO: Dr. Harlan Onsrud
   Faculty Senate President

FR: Dr. Paul W. Ferguson
    President

    Dr. Jeffrey Hecker
    Executive Vice President for Academic Affairs and Provost

RE: Responses to October 16, 2013 Faculty Senate Memo

Motion to support the proposed Department Structure for the College of Education and Human Development

After thorough review and discussion with Dr. Jeff Hecker, Executive Vice President for Academic Affairs and Provost, the Motion to support the proposed Department Structure for the College of Education and Human Development submitted to the Office of the President on October 16, 2013, is approved.

Motion on Shared Governance from the Faculty Senate of the University of Maine to President Ferguson

The Motion on Shared Governance from the Faculty Senate of the University of Maine to President Ferguson is noted. Although Provost Hecker, the President’s Cabinet, and I do not agree with the premise, the facts, or the conclusion of the Motion, we remain, as we always have been, committed to the principles and processes of shared governance at the University of Maine.

For the record, the University of Maine Shared Governance Policy states, in part, “[t]he faculty and administration will collaborate in the recruitment and selection of deans, the provost, associate provosts, and other vice presidents” (Sec. E. a. Selection. April 19, 2009). The University of Maine administrative positions apparently at issue in the Motion included Provost, Associate Provost for Academic Affairs, Vice President for Research, and Interim Dean of Liberal Arts and Sciences.

Reflective of the Administration’s commitment to shared governance and as consistently stated publicly since this past summer to the Faculty Senate, in direct meetings with members of the Faculty Senate Executive Committee, and in writing to the campus and faculty leaders, the following is a summary of the clear collaboration and commitment to shared governance during appointment of each of these administrative, fixed term, positions. These fixed-term appointments were made as a prelude to formal, open searches due to the emergency need to fill critical positions.

• Executive Vice President for Academic Affairs and Provost:
  In response to the naming of former Provost Susan Hunter to become Vice Chancellor for Academic Affairs for the University of Maine System (effective September 1, 2013), President Ferguson disseminated a memorandum to the entire UMaine community on July 11, 2013 stating, “…this impending change now requires us to move with timely wisdom regarding our own leadership for UMaine Provost. Because of the critical contribution of the Provost to our
daily operations, the implementation of the Blue Sky Plan, and the start of the next academic year just two months away, I plan to name a new Provost from the UMaine Community this summer.

I am proposing to hire the individual on a two-year, fixed length appointment as Provost to ensure continuity and efficiency in our academic affairs operations. However, by the end of the two year period, we will assess our progress and performance, and plan to conduct a national search for Provost for which the current Provost would be eligible to apply.

To this end, I will be seeking input and nominations from the UMaine Community for the Provost position through discussions with UMaine constituencies and by email. In addition to Cabinet and Provost’s Council input, I have named a Provost Search Advisory Committee to assist me consisting of Janet Waldron, Senior Vice President for Administration and Finance (Chair), Harlan Onsrud, President of the Faculty Senate, Brianna Hughes, UMaine Doctoral Candidate, Anne Lucey, Chair of the Board of Visitors, and Julie Hopwood, Senior Advisor to the President. If you would like to nominate a candidate, please send the name of the individual with a short rationale and any strategic comments to Julie Hopwood, Senior Advisor to the President (julie.hopwood@umaine.edu) by August 1, 2013.”

The Search Advisory Committee met on July 25, 2013 and affirmed the two year, fixed length appointment of Dr. Heck as Provost.

- **Vice President for Research:** Dr. Carol Kim was appointed to a two-year fixed length position beginning September 1, 2013. Provost-Designate Heck met with the directors of the research units on August 8, 2013 to discuss the selection process. A call for nominations went out on August 9, 2013. Provost-Designate Heck received 20 nominations from 54 members of the UMaine community (51 of the 54 were faculty members). Provost-Designate Heck contacted all 20 nominees to inquire as to whether each nominee was interested in being considered for the position. Eight nominees indicated interest and submitted their CVs. Provost Heck met with the research directors again on August 19, 2013 to discuss the nominees. At that meeting, the research directors endorsed Dr. Carol Kim for the position. Provost-Designate Heck then submitted the recommendation of Dr. Carol Kim for the two-year fixed length position of Vice President for Research to President Ferguson. President Ferguson accepted the recommendation based on the call for nominations, the opportunity for all nominees to compete in the process, the review and recommendation of the research directors and Provost-Designate Heck. Dr. Kim was subsequently offered and accepted the fixed length appointment.

- **Interim Dean of CLAS:** Dr. Naomi Jacobs was appointed to a one-year fixed length position beginning September 1, 2013. Provost-Designate Heck met with the chairs and directors of CLAS on August 8, 2013 to discuss this position. Provost-Designate Heck had prepared a short list of potential candidates to discuss. Based upon the discussion, Provost Heck recommended that the position be offered to Dr. Naomi Jacobs. Provost-Designate Heck asked the chairs and directors to consult with their faculties and to inform Provost-Designate Heck by August 9, 2013 as to whether the chairs, directors and faculty supported offering Dr. Jacobs this one-year fixed length interim position or whether another internal candidate was nominated or desired to be considered. Provost-Designate Heck received unanimous support for Dr. Jacobs. Provost-Designate Heck then submitted the recommendation of Dr. Naomi Jacobs for the one-year fixed length position for Interim Dean of CLAS to President Ferguson. President Ferguson accepted the recommendation based on the support of Provost Heck, the CLAS chairs, directors and faculty. Dr. Jacobs was subsequently offered and accepted the fixed length position.
• **Associate Provost**: Dr. Jeff St. John was appointed to this two-year fixed length position beginning September 1, 2013. During Summer 2013, the job description and title for this position were revised to meet the current needs of the Office of the Executive Vice President for Academic Affairs and Provost. The position description and title revision were largely influenced by the successful national search and appointment of the Vice President for Enrollment Management position beginning July 1, 2012, as the Associate Provost and Dean of Undergraduate Studies no longer included these duties. The revised job description for Associate Provost for Academic Affairs emphasized three primary duties: (1) NEASC accreditation (UMaine has a NEASC accreditation report due in January 2014, for which sufficient progress was not attained by August 2013); (2) Faculty development; (3) Evaluation of the operation of the Office of the Executive Vice President for Academic Affairs and Provost. Regarding the latter, Provost-Designate Hecker was assigned to conduct a global assessment of the Office of the Executive Vice President for Academic Affairs and Provost by June 2014, including faculty input and facilitated by the Associate Provost, resulting in intended meaningful reorganization of the Office of the Executive Vice President for Academic Affairs and Provost resulting in redistribution of responsibilities across the three Associate Provost positions. As a result of the assigned strategic responsibilities and the timeline associated with completion, Provost-Designate Hecker decided to move forward without a call for nominations for this position. Dr. St. John was subsequently offered and accepted the fixed length position.

The Motion emphasizes the University of Maine Shared Governance Policy terms of “shared confidence, mutual respect, mutual desire to collaborate, and collaborative process” while suggesting that “during the summer of 2013 a number of administrative searches were not performed in full accordance with the agreed-on shared governance policies.” The description of the processes for each administrative appointment above provides the clear record of the collaborative actions made by the UMaine Administration to share in the responsibility and mutual desire to appoint qualified and appropriate individuals to critical positions during an extraordinary time of acute need.

The October 16, 2013 Motion on Shared Governance includes the following, “There is no emergency or expediency justifying circumvention of these core principles, no matter the time of year.” It is the Administration’s position that the core principles of shared governance were not circumvented in the appointment processes described above. While the prescribed processes described in Section II E (a) of the Shared Governance Policy were not strictly followed as normally applied to full and open searches, implementing alternative processes to those “normally” used in administrative searches was justified by the following facts: (1) vacancy of these positions occurred in the summer months when the faculty is generally not available to participate in search committees, open sessions etc.; (2) following the processes described in Section II E (a) would have delayed the appointments until well into the Fall semester; (3) the university would not have been well-served by leaving these appointments unfilled; and most importantly, (4) each of these appointments is fixed-length only.

Lastly, during this process, the Faculty Senate did not request a meeting between Senate leadership and campus administration (other than those arranged by the Administration) to resolve any specific “failures”, in accord with the shared governance policy (Section G). Nor was there any acknowledgement of the collaborative processes that did occur. Therefore, it is the distinct purpose of this formal response to affirm compliance and commitment of the UMaine Administration to the principles of shared governance, as well as to demonstrate the collaborative actions achieved even with the appointments that were temporary and of fixed length. The anticipated full participation of the campus and faculty related to the formal, open searches of these positions in the near future has been clearly stated and is fully consistent with the Administration’s commitment to and collaboration through shared governance.