

**Statement on the
Resolution of No Confidence in the Leadership of the Board of Regents**

By Shelly Kurtz

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The resolution we consider today states that the University of Iowa Faculty Senate has lost its confidence in the leader of our Board of Regents.

We fully recognize that the responsibility to select our next president is one of many duties the people of Iowa entrust to the Regents. When carrying out their responsibilities, however, the Regents owe Iowans what lawyers call a duty of care--a duty to take reasonable care in acting in the best interests of the State's citizens and of public higher education. By repeatedly violating this duty, the Board President has demonstrated that he cannot do the work the Governor appointed him to do.

Our concerns did not begin in November when the Regents stunned the state by terminating the presidential search and disbanding the committee. The failures of care include a disastrous search, a pattern of flagrant disregard for University faculty, and ongoing secretive strategic planning that deliberately excludes faculty, staff, and administrators who know the University best and who represent its future.

The Board's last-minute decision to scrap the search and start again followed an enormous expenditure of state funds, faculty, staff, and student time, and community trust. Had any of the four excellent finalists the committee endorsed fared as well in on-campus interviews as they did off-campus, we would gladly have welcomed any of them as President.

The termination of the search on the shakiest of premises undermines the University's ability to recruit an outstanding president in the future and endangers campus participation in any future search driven by the current leadership.

The search was marked by a series of deceptions. Regent Gartner informed faculty officers that it would follow the UNI model, then publicly denied having made that statement. He promised faculty leaders he would not serve on the search committee, but he did. He promised that the campus advisory committee would play a significant role in the search, but it did not.

Regent Gartner blamed the rejection of the finalists on a criterion—experience in overseeing complex health-science operations—that was neither included in the job description nor mentioned on the candidate scoring sheets. This last-minute criterion was a pretext for rejecting the finalists on other, hidden grounds.

These and many other examples demonstrate that Regent Gartner neither understands nor respects the faculty. His repeated refusal to publicly answer questions about the abandonment of the traditional search process, his insistence on confidentiality statements so stringent committee members couldn't inform even their families of their whereabouts, his public swearing at a committee vice-chair and his tantrum labeling a committee decision "insane and inane" were abusive. His executive director's seeking out information about me and the vice-chairs and Regent Gartner's use of some of that information in conversations with student leaders were blatant attempts at intimidation.

This demeaning of faculty members accompanies an aversion to open, collegial decision-making that flouts Iowa's deeply held traditions. The purpose of having a Board of Regents rather than one lone Regent is to assure the rule of many and the practice of vigorous public deliberation. Regent Gartner repeatedly failed to meet his responsibility to ensure open collective deliberation.

This summer Regent Gartner initiated a "process of strategic change" by secretly convening a group that included one other regent and the three university presidents to address a set of fundamental questions about the management, finances, and academic structure of each campus. This process, which sets out to restructure the academic and non-academic functions of the three state universities, continues to this day without public discussion and formal approval by the Board.

Regent Gartner's failure to communicate or collaborate, his resort to insults and intimidation, and his willingness to apparently violate the intent of the State's Open Meetings law are breaches of the duty of care that put the University at risk.

If passed, this resolution sends a clear message to the Governor, the Governor-elect, the legislature, and the people of Iowa that our State's great universities have been entrusted to an individual who has demonstrated he is not up to the task. A change in Board leadership is essential to accomplish the interrelated goals of finding and retaining an outstanding president and restoring functional governance within the Board of Regents and between the Regents and the institutions they oversee.

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