

**COMMITTEE ON FACULTY GOVERNANCE
REPORT AND RECOMMENDATIONS ON PRESIDENTIAL SEARCHES
with implications for searches for all senior administrative positions**

May 19, 1999

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I. INTRODUCTION

During the latter stages of the presidential search in the fall of 1998, the Committee on Faculty Governance considered the propriety of preparing a document that would contain the lessons learned from the search process. Members of CFG shared this idea with faculty members of the search committee, and there seemed to be general agreement on the desirability of preparing such a document. At the November 6, 1998 Faculty Meeting, President David Porter spoke at length about the presidential search:

Given where we are in the process, the President indicated his feeling that further conversation about the candidate herself during the faculty meeting would not be appropriate and might, indeed, be very damaging to the relationships that will need to be built as the College moves forward. He stressed, however, that further discussion about the process would certainly be justified.

Joel Smith asked for a review of "the search process we have just completed - that there is much we could learn for future reference." President David Porter agreed. (See Faculty Meeting, November 6, 1998, Minutes)

On February 5, 1999, Tadahisa Kuroda, chair of CFG, reported to the Faculty Meeting that:

CFG wishes to conduct a review of recent presidential searches, and it will work with CAPT and faculty members who participated in our most recent searches as well as others in the community. It is the CFG's intent to proceed with that work this term and to prepare a report with recommendations in a timely fashion to be shared with the faculty before the end of the term. (See Faculty Meeting, February 5, 1999, Minutes)

The Committee on Faculty Governance has reviewed materials related to the presidential searches of 1985-86 and 1997-98, and consulted members of the faculty who served on the two search committees and with CAPT. The CFG has also elicited This report provides a brief history of the searches with particular attention to those procedures that have caused difficulties and those that have promoted faculty support for the selection of candidates, setting the stage for successful presidencies.

II. THE PRESIDENTIAL SEARCH 1985-86 (See Appendix A1)

Joseph C. Palamountain, Jr., served as Skidmore College President for twenty-three years. Few members of the faculty, administration, and board serving in the latter years of the Palamountain presidency had participated in the search that had brought him to Skidmore in 1964. In preparation for a presidential search for his successor, the Board of Trustees at its May 2-4, 1985 meeting created a trustee nucleus for the search committee: Judith Eissner as chair, James McCabe, Inez Scribner, Penny Kaniclides, and Myles Cane. On May 9, 1985, the Chair of the Board, George Colton, informed the faculty by a letter that the Academic Affairs Committee of the Board had held discussions with CAPTS (predecessor to CAPT) about the impending presidential transition. He noted,

... the Board is well aware that the best operation of a college such as ours can be a fragile thing requiring the sense of trust which I believe now exists among the various parts of our community. Each part has a special and vital role to play in the operation of the whole, and the Board is committed to making sure that each is fully respected in playing its proper role.

Faculty Council (the predecessor to CFG) reported to the May 22, 1985 Faculty Meeting, the final meeting for the academic year, that it had sent a letter to the Board of Trustees recommending that "faculty representatives on the committee should be elected."

By the fall of 1985 the intended good will expressed by the Board had given way to anger and frustration on the part of the faculty. In September, the faculty learned that the board had prescribed a composition for the Search Committee: 5 trustees, 3 faculty, and 2 students--no administrators (presumably because there might be an inside candidate). Moreover, the trustees' decision that the Search Committee had immediate work to do by the beginning of October made the election of faculty representatives impossible. Faculty Council and CAPTS worked out a procedure whereby individuals expressed a willingness to serve or nominated colleagues to Faculty Council. CAPTS then interviewed all of the potential representatives, and, after final consultation with Faculty Council, appointed three persons on September 27th: Beverly Becker, Physical Education and Dance, Ken Johnson, Geology, and Tadahisa Kuroda, History. (See Appendix A2) The other members were Gina Borelli, student; Myles Cane, trustee; Judith Eissner, trustee; Penny Kaniclides, trustee; James McCabe, trustee; Gregory Rutchik, student; Inez Scribner, trustee. The Search Committee held its first meeting on October 1, 1985.

The October Faculty Meeting was tumultuous. (See Appendix A3) The faculty adopted the first of a series of resolutions introduced by Faculty Council:

That the faculty will exercise sole and exclusive right to determine how it will select its representatives on all committees enumerated in the Faculty Handbook, and on all search committees for administrative positions at the level of Dean or above.

The Faculty Meeting proceeded to adopt a resolution in support of the AAUP's "Statement on Faculty Participation in the Selection and Retention of Administrators" and then a very strong statement critical of board action:

RESOLVED, That with regard to the Presidential Search Committee, the faculty wishes the Board of Trustees to know:

1. that it deplores the failure of timely and genuine consultation in the determination of the procedures for selecting its representatives; and
2. that it considers its lack of equal representation on the committee discouraging in light of Trustee profession of faith in the faculty and expressions of a determination to share responsibility with them

The Meeting narrowly defeated a resolution proposed by three faculty members, stating:

That this Faculty requests the Board of Trustees to enlarge the residential Search Committee by two faculty members. These members will join the presently operating Search Committee after being chosen by the faculty at large in an election to be held immediately by Faculty Council. If the Board declines, the Faculty requests that a representative of the Board appear at a convocation of the full Faculty to explain the Board's unwillingness to permit the kind of faculty representation described in the AAUP guidelines for Presidential Search Committees.

The Meeting passed a second resolution proposed by the three faculty members:

That the Faculty strongly urges that the Presidential search Committee bring at least the final three candidates for the position of President of Skidmore College to the campus for extensive meetings with the faculty and that the Search Committee gather faculty sentiment on these candidates in the form of written and oral communications. By "extensive meetings" the Faculty means at least one meeting with CAPTS, departmental chairs, and the directors of Asian Studies, Classical Studies, and Women's Studies (the interdepartmental programs then in existence); and at least one other meeting with the Faculty at large in a format to be determined by Faculty Council.

Prior to the November 6, 1985 Faculty Meeting, the board met in executive session with CAPTS to discuss the resolutions adopted by the faculty. Penny Kaniclides stated that "Our sensitivities have been mutually heightened, and we look forward to ongoing dialogue during this time of transition." President Palamountain reported to the November Faculty Meeting on behalf of Judith Eissner, Chair of the Search Committee, that the members had already met twice and had hired a search consultant, Ray Klemmer. In addition, the committee had appointed Louise B. Wise, alumna and former Director of Admissions, to serve in the important role of secretary.

The Search Committee proceeded through December, January, and February of 1986 to meet with various campus groups and to solicit letters to provide information to determine the specifications for the job of president and to prepare the text for an advertisement announcing the opening. The committee agreed with campus sentiment that the search consultant should provide support, help recruit candidates, conduct reference checks, and assist in the arrangements of interviews, but that he would not screen the applicant pool.

In the spring a subcommittee of the Search Committee, composed of trustee James McCabe and the three faculty members reviewed all applications, nominations, and inquiries for the position. The subcommittee and the whole committee conducted preliminary interviews, starting in August. James McCabe circulated a progress report to the community on September 4th, 1986. (See Appendix A4) The committee conducted series of interviews throughout the rest of September, and by mid October had a short list of candidates. Our search consultant did background checks with references. In the latter part of the month, the Search Committee conducted second interviews with the top candidates. The Committee kept open the option of bringing more than one candidate to the campus, until late October by which time committee members agreed unanimously and enthusiastically that one candidate stood clearly above the rest.

On October 22nd, 1986 the Search Committee met with CAPTS to share the news. On the 23rd, the trustee members of the committee met with the Board of Trustees to report on the selection of a candidate of choice. On October 28, 1986 the three faculty representatives on the Search Committee met with CAPTS to answer questions. Two days later, James McCabe distributed a Progress Report that provided information about the short list of candidates--a report that in retrospect appears to have been remarkably revealing. (See Appendix A5)

Well aware that in deciding to bring one candidate to campus, the Search Committee had chosen not to follow the request contained in the Faculty resolution of October 1985, the Search Committee presented to CAPTS the credentials of all the candidates whom the committee had placed on the short list. The Search Committee could not share all information about those candidates--results of confidential interviews and background checks. It could not replicate the face to face interviews that the committee had with these candidates.

On November 3rd the faculty representatives reported to a special Faculty Meeting called for 4.00 and 5.00 p.m. to provide information about the process (choice of consultant, position specifications, advertisement, national organizations contacted, the use of the subcommittee to screen candidates, the interviews, the reference checks, and the short list); explain the pros and cons of bringing one candidate; announce the decision to bring David Porter as the candidate of choice to the campus; and answer questions. The faculty asked their representatives to justify the selection of one candidate, wondered if the selection was a *fait accompli*, and questioned whether the Search Committee had done enough to keep them informed. The representatives had an opportunity to respond to these concerns then and there, prior to the campus visit by the candidate. Without this meeting, the candidate would have arrived on campus at a time when many faculty would have been puzzled and, perhaps, angry.

On the 5th Judith Eissner and the subcommittee reported to the administration and then met with CAPTS. Tadahisa Kuroda reported to the Faculty Meeting on November 7, 1986 that David Porter would visit the campus on November 13-14th. The itinerary included sessions with David Marcell, Vice President for Academic Affairs; Academic Staff (initially a small group of chairs but enlarged to include all of staff at the request of several faculty members); dinner with students; CAPTS; President Palamountain; Donald McCormack, Dean of Special Programs; Kent Jones, Director of Admissions; and Eric Weller, Dean of the Faculty. The first visit did not include an open meeting with the faculty--something the Search Committee expected would occur with David's second visit. The first visit gave the candidate a chance to get better acquainted with campus constituencies and for members of the faculty, administration, and student body to get an initial reading of the candidate.

David Porter came back to Skidmore later in the month, November 20-22. He spoke before the Faculty Meeting on Friday and then fielded questions from the floor. The Search Committee requested faculty members convey their assessment of his candidacy to the faculty representatives by noon on Monday. Leo Geoffrion set up a special computer address so that those faculty who were properly hooked up could electronically transmit their responses. (See Appendix A6) The turnover time--Friday to Monday--appears, in retrospect, to have been extremely short, especially in the days before widespread use of email, but the Search Committee members were very concerned with the extensive period for public review that they had already permitted. They sought to keep the rest of the candidates from withdrawing from the search. After all, some, perhaps all, of them would know that they had not been the first choice. Realizing that there was a possibility that the community would not support the appointment of the candidate of choice or that he would refuse the appointment once offered, the committee wanted to preserve the pool of candidates.

III. THE PRESIDENTIAL SEARCH 1997-98 (See Appendix B1)

This presidential search, in contrast to the previous one, began very auspiciously. On August 26th, 1997 the Nominating Committee of the Board of Trustees met in New York City with the chairpersons of CAPT and CFG, the president of SGA, President David H. Porter, and others to discuss the formation of a presidential search committee. The group recalled that the search committee of 1985-87 had consisted of three faculty, two students, and five trustees. Believing that the new search committee should include one representative of the administration, the Nominating Committee decided that faculty representation should increase to four. Noting that a committee with four faculty, two students, and an administrative staff person came to a total of seven persons and believing that the board members should comprise at least half of the membership, as they had in 1985-87, the trustees prescribed seven trustee positions on the committee. The trustees also agreed with the faculty present that they would leave the selection process for faculty representatives of the search committee in the hands of the faculty (they allowed the same discretionary authority to the SGA for the selection of student members). Although they expressed a desire to have the various constituencies make their appointments in a timely manner, they did not set an

absolute deadline. The trustees also named Myles Cane, a member of the previous search committee, to serve ex officio on the new search committee.

In September of 1997 David Porter made public his decision to step down as President on December 31, 1998. Through September and into October, CAPT and CFG worked to build a consensus around a selection process for their representatives. After discussions at open meetings and at the October Faculty Meeting, CFG and CAPT determined on a procedure that combined elective and appointive phases to take into account faculty wishes to have a direct vote in choosing their representatives and to ensure that the four faculty chosen reflected a balance of disciplinary areas, experience, and gender. (See Appendix B2) Hence CFG conducted a willingness to serve stage and a nominating ballot stage to select eight candidates. (See Appendix B3) CAPT then chose four of the eight: Thomas Denny of Music, Mary Ellen Fischer of Government, Murray Levith of English, and Elaine Rubenstein of Biology. The process worked smoothly and appeared to elicit general support from the faculty at large.

At the October Board meeting, the trustees appointed Joan Dayton, Chair of the Campaign Executive Committee and soon to be Chair of the Board, to be chair of the search committee. They also identified the composition of the full committee. In addition to Joan Dayton, the committee consisted of: Mary Lou Bates, staff; Chris Constantian, student; Dale Coxe, trustee; Sam Croll, trustee; Bill Dake, trustee; Tom Denny, faculty; Mary Ellen Fischer, faculty; Allison Kupfer, student; Murray levith, faculty; John Morris, trustee; Elaine Rubenstein, faculty; Billie Tisch, trustee; Susan Williamson, trustee; Myles Cane, trustee, ex officio. On October 23rd, 1997, the search committee met for the first time. Myles Cane, Chair of the Board, sent a memo to the community reporting on the membership and on the first meeting.

Through the remainder of the fall term, the Search Committee worked on the selection of a search firm and on soliciting information from the college community on presidential criteria and transition issues that would affect the search. In efforts to promote good communications, Joan Dayton sent a memo on November 7, 1997 to the community asking for input on criteria and institutional priorities (she issued a similar memo on December 12th), and Murray Levith made progress reports to the November 7th and December 5th Faculty Meetings. By early December the search committee decided to work with Shelly Storbeck of A. T. Kearney as the search consultant.

In December of 1997 and January of 1998 the search committee refined its list of ten key criteria for a new president, and Joan Dayton reported on progress in a memo to the community on January 30, 1998. At this time she invited faculty to attend open sessions that Shelly Storbeck intended to hold on campus on February 4th and 5th. Joan Dayton also met with selected faculty who had sent suggestions about criteria and priorities to the search committee. By late February the search committee had prepared an ad to run in appropriate publications in March, while it continued work on a final version of the position statement and criteria. The Committee also created a website to help keep the community informed.

For the duration of the spring term, the search committee solicited applications and nominations through advertisements, mailings, email, and use of the consultant. On May 7, 1998, the committee met off campus in Saratoga Springs to begin to screen candidacies. By this time, all faculty members had read all the files and a number of other committee members also had read all the files. This process continued through June so that by the 29th the members had a list of 17 candidates to be interviewed.

The committee conducted preliminary interviews with 12 of the candidates between July 31 and August 1 and the remaining 5 candidates on August 23rd. At that point, the committee settled on a short list of 7 candidates for further referencing. The committee was not yet in a position to rank those candidates, and hence had made no decision about who or how many candidates would visit the campus.

On September 8, 1998 the search committee met in Saratoga, and received reports on the numerous reference calls that had been made. After discussion, the committee members discovered that there was a strong consensus on one outstanding candidate. They sought further referencing and waited for the outcome of these confidential checks. The committee members evenly divided over the other candidates on the short list, and hence did not rank them. In so doing, the committee behaved very much as the earlier search committee had in 1986. Meanwhile, the candidate anonymously visited the campus, had conversations with members of the search committee, and met President Porter. By September 24th and 25th, the committee had decided to bring its candidate of choice to campus.

On Friday, October 3rd, 1998, Mary Ellen Fischer announced at the Faculty Meeting that the search committee was recommending one candidate, who would visit the campus on October 12th. Moreover, she indicated that the identity of the candidate would be shared soon. The search committee shared information about the candidate with the Board on that Friday and with CAPT and President's Staff on Monday, October 5th. On Tuesday, the 6th, the faculty members of the search committee met with CAPT. On Thursday, the 8th, the search committee sent a description of the candidate to the community by email and placed packets of information in the library, in all department offices, and in the offices of members of President's Staff. That afternoon CFG requested faculty members of the search committee to arrange a meeting the very next day at a special faculty meeting or possibly academic staff, already scheduled to meet, so that the search committee could provide a context for the candidate's impending visit and answer questions. The faculty representatives of the search committee took CFG's advice into account, but there was too little time to gain full search committee agreement.

On Monday, October 12th, Jamie Studley visited the campus, and met with CAPT and President's Staff. She then appeared before a meeting with the community and with students. The search committee requested members of the faculty to communicate their reactions to any of their four representatives.

Following the visit and community responses, many faculty members raised questions about the candidate and the process that had not yet been answered. To try to answer these questions, the faculty, student, and administrative staff representatives and three board members of the search committee met with the community on Wednesday, October 21, 1998, to discuss their reasons for their recommendation and to field questions and comments. The Board of Trustees met October 24-26th for the fall meeting, but took no action on the candidacy. Responding to requests from various groups, the search committee invited Jamie Studley to return to the campus to meet with faculty and with faculty committees, as well as other interested groups and offices on campus. The search committee requested additional input from the community by October 29th. The search committee met twice by conference calls, and recommended to the Board of Trustees that Jamie Studley be appointed President.

IV. RECOMMENDATIONS

At the start, the CFG acknowledges these points:

1. The legal responsibility of the Board to appoint the President.
2. The principles of shared governance by which the trustees respect the role of the faculty in informing decision-making at the College.
3. The unique and unforeseen features of each search that make it difficult to prescribe detailed procedures and deadlines and place a premium on the selection of capable representatives for search committees.
4. The need for a search committee to do everything possible not only to appoint a worthy person to be President but to create the environment in which that person can be a successful President. Faculty support for the process as well as the appointment plays a crucial role in setting that environment.

The CFG believes that our recent experiences with two presidential searches provide important lessons that might well inform future searches for president and other board-appointed officers. CFG realizes, however, that two searches in the past fifteen years constitute only a small portion of the searches conducted by quality liberal arts colleges for presidents during this same time frame. Many other colleges have followed a different course from the one that Skidmore has, particularly in bringing more than one candidate to the campus. Neither the 1985-86 nor the 1997-98 search committee began with the decision to bring only one candidate, and reached that decision rather late in the process. Nevertheless, CFG encourages the trustees and future search committees to give serious consideration to bringing several candidates to campus, as the faculty formally requested in 1985. A more open search will reduce the burden placed on search committees to make a special case for bringing only one candidate. CFG refrains from prescribing such a step, however, because each search committee will face unique circumstances and dynamics that require flexibility.

Although the CFG realizes that good procedures by themselves will not assure consensus on final appointments, the committee members believe that they serve a useful purpose in framing the appointment process. In this light, CFG recommends the following:

A. Trustees should:

1. Consult faculty in a timely fashion through CAPT and CFG prior to formation of search committees for President and for other board appointed officers.
2. Grant faculty a representation on such search committees appropriate for their particular roles and knowledge.
3. Allow faculty to determine the mode of selecting their representatives. The 1997-98 model sets a good example.

B. The search committee should:

1. Report regularly to Faculty Meetings and to the community, and establish a website, as the 1997-98 committee did.
2. Make clear to the community the role of the consultant.
3. Provide CAPT with credentials of all candidates invited to campus.
4. Provide credentials of candidates on the short list to CAPT in the event that only one candidate is invited to campus, as the 1986-87 committee did.
 - a. Rationale from CAPT.
 - It is improbable that a search committee will put forward a totally incompetent person as its candidate of choice.
 - CAPT is thus reduced to a "rubber stamp" role when it sees the credentials of only one candidate. In theory, CAPT could say that the candidate is unacceptable and unilaterally bring a halt to the entire process. In practice, CAPT will pretty much be reduced to saying that the candidate is acceptable.
 - CAPT represents the faculty in personnel matters. Its role is to recommend, not appoint, and it requires context in order to perform its job effectively. CAPT could compare the single candidate to the current President, but, since presidents are chosen to fit particular institutional needs at particular historical moments, such comparisons are not nearly as helpful as seeing credentials of other candidates in the same pool.
 - b. Additional rationale:
 - It is true that the search committee in 1997-98 presented only one candidate to the Board as well as to the CAPT. However, CFG notes that about twenty percent of the board served on the search committee, whereas only 1-2% of the faculty

served. CFG believes that sharing the credentials of the candidates on the short list, even if unranked, builds confidence in the process.

- It may also be argued that, if the search committee shares all credentials with CAPT, then it must share them with the Board. CFG points out that CAPT and the Board play different roles in the process and that therefore different kinds of information-sharing may be appropriate for these two parties. But CFG sees nothing undesirable in having all credentials shared with the CAPT and the Board.
5. Build into the process meetings between faculty representatives on the search committee and CAPT and establish a faculty liaison between the search committee and CFG.
 6. Allow enough time prior to the first visit to accomplish certain tasks.
 - a. Gather input from CFG and CAPT about setting an itinerary that provides for small group meetings with the candidate prior to the large public meeting.
 - b. Schedule a meeting between the faculty representatives of the search committee and the faculty before the candidate's visit.
 - c. Define the time frame and the mode for communicating individual faculty assessments of the candidate to the search committee.

The CFG observes that in both searches the consultants worried about long public exposure of candidacies because of their potential effect on the pool of candidates. Hence they wanted to limit the time between the announcement of a candidate's visit and the visit and between the visit and the solicitation of campus reaction. This concern must be balanced against the interests in having a successful visit that serves the faculty as well as the candidate.

7. Consider a second visit by any candidate for the presidency or any board-appointed officer whenever appropriate.
- C. CAPT and the Academic Affairs Committee should work out procedures indicating how and to whom CAPT reports its recommendations for all board appointed positions. In particular, they should make clear whether CAPT recommends to the search committee or to the Board.
 - D. At all special Faculty Meetings related to searches for senior administrative positions, minutes should be taken and distributed as usual. At all other open faculty meetings called by CAPT and/or CFG to discuss issues related to presidential searches (and searches for other board-appointed officers), CFG should take care to record and distribute minutes; the next regularly scheduled Faculty Meeting should review and approve the minutes.
 - E. Upon receiving trustee responses to this report and recommendations and to CAPT's conversations with the Academic Affairs Committee about its role in presidential and other senior administration searches, CFG and CAPT will prepare a proposal capturing essential features of search procedures for inclusion in the Faculty Handbook (Part III College Governance) to a Faculty Meeting in the fall of 1999. If the meeting adopts such a proposal, the President shall convey the proposal to the trustees for action.

Respectfully submitted,

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