Report of the Boulder Faculty Assembly Administrator Appraisal Committee Concerning

Philip Weiser, Dean of the School of Law

Spring, 2014

Administrator Appraisal Program

The Administrator Appraisal Program (AAP) of the Boulder Faculty Assembly (BFA) seeks to provide substantive feedback about administrators based on a high rate of response reflecting a representative survey of the faculty. Faculty members have the opportunity to provide AAP feedback to the review/reappointment process when the president, chancellor, provost, or the dean of their school or college is undergoing the third- or fifth-year review.

This was the third-year or interim review of Philip Weiser, Dean of the School of Law.

Methods of Review

The Office of Planning, Budget and Analysis (PBA), under the direction of the AAP committee administers an online questionnaire, including the option for open-ended responses, to the faculty under the administrator and to faculty nominated by the administrator. Details about the survey are given in Appendix A.

All faculty members of the Law School, the population of interest (hereafter referred to as the “Population”), designated as eligible by the BFA were sent an e-mail requesting that they complete the online administrator appraisal questionnaire. In keeping with past practices, the AAP Committee requested Dean Weiser to nominate as raters people he judged especially likely to be knowledgeable about his role as dean. These will be referred to as the Administrator-nominated (AN) raters. All AN raters who are also members of the unit’s faculty are included only among the AN group and not the Population.

The Dean nominated 14 faculty of whom 12 (86%) responded to the survey. There were 49 invitations sent to the Population and 33 respondents (67%). The AAP Committee and BFA have agreed, on the advice of faculty who specialize in survey methods, that a 60% return rate is needed for a representative statistical study. This survey met this requirement.

Results: Item Analysis

Figure 1 presents item content (abbreviated) of all survey items, item means (on a 1-5 scale), and categorizations of items as reflecting strengths and weaknesses of the dean. Data are presented separately for the two groups of raters. The items are ordered by the average of the item means for the Population and the Administrator-nominated raters with higher values appearing at the top and lower values at the bottom. In calculating the means, responses of “Don’t know/not applicable” were
considered missing values; that is, means are based only on respondents who provided an effectiveness rating.

The columns labeled “R” use the raw percentages including all those who replied “don’t know” to an item. This scoring is consistent with past AAP reports. Columns labeled “A” use adjusted percentages that eliminated all “don’t know responses” before calculating the item category.

The category ratings shown in Figure 1 are color coded to indicate relative strengths and weaknesses of the dean based on percentages of raters who rated him as more effective or less effective on each of the 25 survey items (see the key to Figure 1 and Appendix A for details). As was done for the calculation of item means, responses of “Don’t know/not applicable” were treated as missing values. In previous AAP reports, presentation of these “categories” data included respondents who replied “Don’t know/not applicable” to an item.

There was significant agreement on the item means between the Population and the AN raters (Pearson correlation = 0.76), suggesting that both sets of raters generally perceive the same strengths and weaknesses. Item means, however, are consistently and noticeably different across the two groups of raters with AN faculty giving markedly higher average ratings (ranging from 3.7 to 5) than Population faculty (average ratings ranging from 2.5 to 4.4).

AN faculty saw every item as a strength, that is, 60% or higher of respondents gave a rating of 4 or 5 on the item. Given the strong correlation for item means, this implies that while AN faculty give high ratings, they still distinguish among the items. Prosaically, the AN group sees some strengths as stronger than others.

As shown in the figure, the Population raters agreed with the AN rater on the following 15 strengths of the dean:

- Improving admissions/student recruitment efforts
- Supporting student career placement
- Raising the quality of external communications
- Making decisions in a timely manner
- Having the vision to lead the industry/profession rather than merely following it or keeping up with it
- Encouraging more effective student engagement/raising the quality of the student experience.
- Providing leadership (e.g., infrastructure and resources) for high-quality teaching in the professional law degree program
- Taking responsibility for office logistics, systems and support staff
- Enhancing internal communications
- Sharing the bases of the major decisions he makes
- Responding respectfully and in a timely manner to all faculty inquiries
- Acting with integrity
- Constructively acting on graduate student concerns
• Having a solid understanding of faculty governance processes, university policies, and budget procedures
• Making progress toward diversity goals

The remaining 14 items (all rated as strengths by the AN group) included 10 items with bimodal distributions on the Population’s ratings (i.e., the group was split in whether it perceived the item as a strength or as a weakness). The Population group saw two topics as “issues to be mindful of” — “constructively acting on the concerns of women faculty” and “constructively acting on the concerns of faculty of color.” This group identified two “areas that need improvement” — “fostering an equitable, merit-based salary system” and “constructively managing conflicts among faculty.” It is telling that both means for the lowest rated item — “Constructively managing conflicts among faculty” — are disconnected from the overall distribution of means. For both groups of raters.

Results: Comments from Raters

Of all the respondents who rated Dean Weiser, 20 provided written comments. Fifteen of those were from the general population, four who judged themselves somewhat familiar with the work of the Dean, and eleven who judged themselves as very familiar with the work of the Dean. Five of those submitting written comments were respondents nominated by the Dean, and all of those judged themselves to be very familiar with the work of the Dean. These respondents made a total of 30 comments, a few of which were very lengthy. Twenty of these comments can be judged as positive, five comments can be viewed as negative, and five as mixed.

Some common themes among the positive comments were the energy and excellent work ethic of the Dean (n=4), and on a related note, the efforts and related vision of the Dean to make strategic changes to the Law School during a time marked by great challenges for the legal education system and legal profession generally (n=6).

There were a number of comments mentioning the difficulties faced by the Dean in dealing with a fractious minority of his faculty, a situation marked by some bad feelings that far preceded the Dean’s arrival (n=5). There were positive comments on the sensitivity of the Dean to the issues faced by women and minorities in both the student body and the faculty (n=2). There were also positive comments concerning Dean Weiser’s transparent dealings with financial matters (n=3). One respondent noted how much the Dean was doing for the benefit of students and alumni (but indicated similar levels of effort should be directed towards needs of the faculty). One commenter praised the Dean for his responses to e-mail and weekly e-mails to faculty, while on the other hand a negative commenter stated there was insufficient communication from the Dean to the faculty members.

Negative comments were largely idiosyncratic with no thematic content except for a small handful of complaints regarding salary decisions and recognition of service contributions. Two respondents commented negatively about the Dean's efforts in making changes in the law school to deal with nationwide changes in the profession, with one commenter critiquing Dean Weiser’s changes to admissions policies and a
perceived insufficient reaction to potential new instructional methods and with another commenter criticizing his strategies in handling shortfalls in the law school budget.

Some representative positive comments were:

- “Dean Weiser is the most energetic leader I know. He is working tirelessly to raise money, help improve the educational program at the law school, and build a more effective educational program that prepares law students for a dramatically changed legal market”
- “Phil works tirelessly to improve the internal and external aspects of our Law School. His dedication is unparalleled.”
- “I think Phil is doing a superb job in difficult conditions both in our profession and within the law school.”
- “Dean Weiser is doing an excellent job in very challenging times”;
- “There is some grumbling within a small minority of faculty, but that can at least in part be attributed to the fact that Dean Weiser is being honest with the faculty that more is expected of them -- and will be expected of them -- than in times past . . .”.

Some representative negative or mixed comments about the Dean’s performance were:

- “Scholarly standards are poor, even inappropriate. Does not understand role of faculty in higher education”
- “Dean Weiser seems most concerned with student experience and alumni experience, indeed more so than faculty experience”.

**Conclusion**

Both the ratings and, with a few exceptions, the comments praise Dean Weiser for his efforts in steering the Law School through the turbulent changes in the legal profession. He received high marks for his energetic championing of and sensitivity to students in both the admissions process and career placement. Despite the fact that he has been at his post for only two years, he is instigating changes that most faculty view as needed and wanted.

The overall tenor of the data suggests that Dean Weiser performance is judged very effective by all but a small group of faculty. The only markedly negative issue is faculty conflict. The Dean received his lowest marks on how he is dealing with this issue. The AAP committee cannot apportion blame, but for the sake of the Law School, the committee recommends that this issue be addressed.

The AAP committee considered Dean Weiser’s performance to be exceeding expectations.
Figure 1: Item means and categories: Philip Weiser.

<table>
<thead>
<tr>
<th>Item</th>
<th>Pop</th>
<th>AN</th>
<th>R</th>
<th>A</th>
<th>R</th>
<th>A</th>
</tr>
</thead>
<tbody>
<tr>
<td>27 Improving admissions/stu recruitment efforts</td>
<td>4.4</td>
<td>5</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<td>✔</td>
<td>✔</td>
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<td>29 Raising quality of external communications</td>
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<td>4.7</td>
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<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>17 Making decisions in a timely manner</td>
<td>4.2</td>
<td>4.7</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>4 Having vision to lead industry/profession</td>
<td>4.1</td>
<td>4.8</td>
<td>✔</td>
<td>✔</td>
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<td>25 Encrgng eff stu engagmnt/imprv qual stu expr</td>
<td>4</td>
<td>4.8</td>
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<td>1 Prvdng ldrship high−qual tchng in law prg</td>
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<td>4.8</td>
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<td>21 Tkng resp office logstcs, sys, &amp; supprt stff</td>
<td>4.1</td>
<td>4.6</td>
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<td>28 Enhancing internal communications</td>
<td>3.7</td>
<td>4.8</td>
<td>✔</td>
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<tr>
<td>18 Sharing bases of major decisions he makes</td>
<td>3.8</td>
<td>4.6</td>
<td>✔</td>
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<tr>
<td>15 Rspndng rспектly, tmly mnnr: fac inquiries</td>
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<td>4.6</td>
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<tr>
<td>5 Positioning Schl/Coll as ldr among AAU peers</td>
<td>3.8</td>
<td>4.6</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>23 Acting with integrity</td>
<td>3.6</td>
<td>4.7</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>8 Constrctvly acting on grad stu concerns</td>
<td>3.7</td>
<td>4.6</td>
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<td>2 Actively supporting high−qual faculty rsrch</td>
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<td>✔</td>
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<td>20 Solid undrstndng: fac gov, Univ pol, &amp; budget</td>
<td>3.8</td>
<td>4.4</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>11 Making progress toward diversity goals</td>
<td>3.7</td>
<td>4.4</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>7 Constructively acting on staff concerns</td>
<td>3.3</td>
<td>4.8</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>3 Rewarding high−quality service</td>
<td>3.4</td>
<td>4.7</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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</tr>
<tr>
<td>22 Treating faculty of all ranks fair, inclsve way</td>
<td>3.1</td>
<td>4.7</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>12 Actively recrting &amp; retaining underrep faculty</td>
<td>3.2</td>
<td>4.4</td>
<td>✔</td>
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<td>6 Constructively acting on faculty concerns</td>
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<td>4.3</td>
<td>✔</td>
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<td>16 Approp involving faculty in decision making</td>
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<td>4.5</td>
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<td>9 Constrctvly acting on women facnty concerns</td>
<td>3.1</td>
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<td>10 Constrctvly acting on facnty of color cncrens</td>
<td>3.1</td>
<td>4.3</td>
<td>✔</td>
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</tr>
<tr>
<td>24 Earning the trust of the faculty</td>
<td>3.1</td>
<td>4.2</td>
<td>✔</td>
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<td>✔</td>
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<tr>
<td>14 Constrctvly managing conflicts among staff</td>
<td>3.2</td>
<td>4</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>19 Fostering equitable, merit−based salary sys</td>
<td>2.8</td>
<td>4.1</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>13 Constrctvly managing conflicts among faculty</td>
<td>2.5</td>
<td>3.7</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
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</tbody>
</table>

Codes and Abbreviations:

- No consensus
- Bimodal (more than one)
- Areas that need improvement
- Issues to be mindful of
- Assets to protect
- Strengths to build on

AN = Administer−nominated raters
Pop = General faculty population
R = Consensus based on raw percents, including nonrespondents
A = Consensus based on adjusted percents, excluding nonrespondents
Appendix A: Procedures

The administrator appraisal questionnaires (posted at http://www.colorado.edu/pba/aap/index.htm) contained 25 core items addressing the effectiveness of the administrator’s performance in key areas, such as administrative/leadership style; support for teaching, research, and service; meeting faculty, staff, and student concerns; and making progress toward diversity goals. Faculty members responded to these items using a 5-point Likert-type effectiveness scale (5 = Very Effective, 4 = Effective, 3 = Neither Effective nor Ineffective, 2 = Ineffective, 1 = Very Ineffective), plus a “Don't Know/Not Applicable” option, with higher scores indicating more effectiveness.

In addition, space was provided for respondents to write open-ended comments about the dean. The rater had an option to have the open-ended comments transcribed and transmitted to the dean or to have them available only to the AAP committee. The questionnaire was completed online.

In keeping with past AAP practices, item responses were categorized as:

a) **Strengths to build on**: items rated as effective or very effective by a substantial majority of the faculty (specifically, 60% or higher of respondents gave a rating of 4 or 5 on the scale);
b) **Assets to protect**: items where at least half of the respondents found the dean's performance to effective or very effective (50-59% of respondents gave a rating of 4 or 5 on the scale);
c) **Issues to be mindful of**: items judged to be ineffective or very ineffective by a significant minority of respondents (25-39% of respondents gave a rating of 1 or 2 on the scale);
d) **Areas that need improvement**: items judged by a significant portion of respondents to be ineffective or very ineffective (40% or more of respondents gave a rating of 1 or 2 on the scale);
e) **Bimodal**: items that meet criteria for two of the above categories. Note that one of these categories must be (a) or (b) and the other (c) or (d). Hence, a bimodal category implies significant disagreement among the group about the dean’s strength or weakness in this area.

In the past the percentages used to construct categories were based on all nonmissing values, including raters who responded to an item with “Don’t know/Inapplicable.” This year the committee included an additional set of categories based on the above criteria that eliminated “don’t know” responses from the denominator.

Members of the AAP committee were Sanjai Bhagat, Gregory Carey (chair), Judith Packer Jesudason, Henry Kapteyn, Susan Mart, Lorrie Shepard, Conrad Stoldt, and James Williams. Frances Costa was the PBA liaison and Cathy Kerry was the PBA statistician.