To: Bob Ferry, Chair, Boulder Faculty Assembly

From: Ahmed White, Chair, Administrator Appraisal Committee

Date: April 7, 2020

Re: Report of Committee Activities and Chair Functions, AY 2019-2020

The Administrator Appraisal Committee’s activities this year were defined by an unprecedented challenge to its traditional functions and its established identity. For at least two decades, the AAP had served primarily to conduct periodic reviews of campus administrators, particularly the deans of colleges and school. Working with other campus entities, including the Office of Data Analytics, the Provost, and the various colleges, schools, and other units, the AAP played the lead role in administering, analyzing, and summarizing both quantitative and qualitative performance surveys of faculty in those units governed by deans under review. The AAP’s role in this regard was conceived as a means of advancing the norms of faculty governance, and so with appropriate redactions its work was made available to faculty. Over the years, the Office of the Provost also came to rely on this information in conducting its own reviews of administrators. As a set of public records, the product of the AAP's reviews was likewise available, in redacted form, to public.

When this year’s AAP was composed at the very beginning of the fall semester, the Boulder Faculty Assembly was informed that Provost Russ Moore had decided, in essence, to prohibit the committee from continuing to perform these functions. In a series of communiques with Boulder Faculty Assembly Chair Bob Ferry, Provost Russ Moore indicated that he had decided no longer to rely on the AAP's appraisals; that he would rely instead on other entities to perform this function; and that, should the committee persist in conducting appraisals under these circumstances, its work would not qualify as the development of personnel documents and committee members involved in this work would forfeit any indemnity from defamation lawsuits that might be filed against them by the administrators being reviewed.

These proposed changes in policy were very significant, but they were not entirely surprising. After the review of a dean several years ago resulted in considerable negative publicity and his replacement, the Provost began to assert the need, as he saw it, to change the way the AAP functioned. To this end, he met several times with the AAP’s previous chair, Greg Carey, and some AAP committee members, to insist upon a series of changes in committee practices. Last academic year, the Provost also instructed both deans who were being reviewed not to cooperate with the AAP in any way.

Upon assuming the chair’s position, I met with Professor Cary so that he might brief me on the AAP’s situation. I also consulted with Professor Ferry and, working with him, arranged a meeting with the Provost, as well as some representatives for the Office of University Counsel, in the hope that he might at least explain, if not rescind, these changes. Apparently, University Counsel demurred to the request and Professor Ferry and I met only with the Provost. At that meeting,
which occurred on September 26, the Provost made clear that he had no intention of retreating. Indeed, it was in this meeting that he suggested that committee members would face disciplinary action should they continue to perform appraisals, and thus made clear that he did not want the committee to function even for the sake of informing faculty.

The Provost’s primary rationale for these positions was has conclusion, apparently reached in the summer of 2019, that all faculty-led appraisals of administrators must henceforth be performed only by unit-level faculty governance bodies. In his view, these bodies, which are now being established, are mandated by emerging views of faculty governance at the system level. Although it does not follow that these new bodies should therefore assume the functions traditionally performed by the AAP, this is exactly the position that the Provost took. He also indicated that the appraisals that these committees developed would, in his discretion, generally be deemed “personnel matters” and, with the possible exception of summary documents, made inaccessible to faculty as well as the public. It is also important to note that at this meeting, the Provost declined to order or even strongly encourage any negotiations between the BFA and the unit-level governing bodies directed at maintaining a significant role for the BFA in the administrator appraisal process.

The AAP’s work this year was defined entirely around the need to respond to these dramatic moves. To this end, the AAP first discussed the issue by email and then convened a face-to-face meeting on October 23. There it was decided unanimously that the changes being imposed by the Provost were unacceptable and that they represented a challenge, not only to the AAP, but to the authority and integrity of the BFA itself. The AAP expressed its desire that the Provost be invited to appear before the BFA Executive Committee to explain his positions and that, further, if those explanations prove insufficient, the AAP should present the BFA with a resolution condemning the Provost’s stance and urging, again, that he reconsider.

I reported the AAP’s concerns to the Executive Committee, which gave conditional support to the idea of developing a resolution. With the AAP’s approval, I also put this issue before the Faculty Affairs Committee, which unanimously subscribed to our committee’s positions and likewise endorsed the need for a resolution. I then worked with the AAP in developing a strongly-worded resolution, which was in turn supported by the Faculty Affairs Committee. That resolution was heard by the Executive Committee in November, approved by the Assembly at its December 7 meeting by a vote of 34-to-2, with no abstentions, and then transmitted to the administration.

Although the resolution brought considerable attention to this issue, including a story in the local paper, it did not cause the Provost to reconsider his positions. On January 31, the AAP again convened, this time to discuss how to proceed going forward, and more particularly to consider how the AAP’s change might be amended to reflect the new reality it now confronts. There was not any clear consensus on the immediate need to change the AAP’s charge, not least because, until unit-level faculty governance bodies have been constituted and are positioned to engage in their own appraisals, the possibility that the AAP might henceforth function in concert with, or even as an alternative to, those bodies can only be a matter of speculation. There was agreement, however, that the AAP and the BFA should do everything possible to document the developments (which is one function of this report); and that I should again report to the Executive Committee the AAP’s
displeasure with the Provost and its members’ belief that the BFA retain an integral and independent role in the regular evaluation of deans and other top administrators. There was support, too, for the view that, whatever becomes of the AAP, its experience over the last year or so confirms the need for the BFA to redouble its defense of faculty governance, both in relation to administrator appraisal and more broadly. To that end, several ideas were floated, including having the AAP assume a role in monitoring and evaluating unit-level appraisal; establishing another committee charged with that purpose, or with the broader purpose of supporting faculty governance; reviving the grievance committee; and augmenting the capabilities of the Faculty Affairs Committee.

In February, I reported these matters to the Executive Committee. The consensus among members of that committee seemed to be that the BFA continue to monitor this situation, see how the unit-level reviews take form, and be prepared to amend the AAP’s charge, or possibly to alter the functions of other committees, in light of these developments.

Running through all these developments was the fact that the AAP is without doubt the most competent entity for performing administrator appraisal. The truth of this has been underscored several times this year, when I was asked to assist faculty who are staffing some of these new unit-level bodies by providing them with access to materials that the AAP had developed over the years. Much of this work was performed by Professor Carey, or by Fran Costa, with Data Analytics, however.