



AAUP JOURNAL OF ACADEMIC FREEDOM

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## The Demise of Shared Governance at Rensselaer Polytechnic Institute

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### **Abstract**

In early August 2007, Rensselaer Polytechnic Institute's newly appointed provost, Robert Palazzo, summarily suspended the university's Faculty Senate. He claimed that the Rensselaer Faculty Senate (RFS) had failed to amend its constitution according to a directive from the university's Board of Trustees. At the heart of debate were the disenfranchisement of nearly 200 faculty, and contention over who should be voting members of the Faculty Senate. In fall 2007, the Rensselaer faculty voted overwhelmingly for reinstatement of the Senate. The Board of Trustees, President Shirley Jackson, and the provost ignored this referendum despite AAUP concerns and negative national publicity. Until this impasse, the Faculty Senate had played an advisory role to the Office of the Provost and had participated in the governance and direction of scholarly activities and instruction at Rensselaer, a model of shared governance typical of many universities across the country. However, notions of governance are changing on campuses that have adopted a business model with corporate-style management. The rise of this administrative governance model, while ostensibly premised on notions of faculty rights

and freedoms, actually produces structures and policies hostile to shared governance, detrimental to faculty empowerment, and undermining of faculty unity and morale. This article analyzes the demise of shared governance at Rensselaer and the imposition of a form of governance in which the administration dominates all decision-making processes. A chronology is appended that supplies the background and timeline of the unfolding events on campus, and chronicles the increasing chasm between faculty, administration, and the board of trustees.

## **Introduction**

The suspension of the Rensselaer Faculty Senate (RFS) serves as a cautionary tale in the annals of declining shared governance among American institutions of higher education. Although the governance crisis at Rensselaer began more than a full year before the economic downturn began to affect governance elsewhere, it was a harbinger of events about to unfold on many campuses. Determining what actually happened to shared governance at Rensselaer was difficult for those of us present as these events unfolded; analyzing *why* it happened is even harder. Was the Rensselaer Faculty Senate an early casualty of structural change within higher education? Were faculty at Rensselaer micro-level canaries in the coal mines of an industry about to undergo profound restructuring? Or did shared governance fall to the gradual but inexorable processes of centralization and corporatization set in motion by the 1999 arrival of President Shirley Ann Jackson? We explore these questions as we trace the contours of the events unfolding on campus.

### **I. History and Background: Governance at Rensselaer**

Rensselaer Polytechnic Institute, established in 1824 by Stephen van Rensselaer “for the purpose of instructing persons ... in the application of science to the common purposes of life” (letter from Stephen van Rensselaer to Samuel Blatchford, November 5, 1824), is one of the oldest

technological universities in the English-speaking world. Rensselaer has been governed by a board of trustees since its inception as the Rensselaer School; it became Rensselaer Institute in 1833 and Rensselaer Polytechnic Institute in 1861. The Rensselaer Faculty Council was established in 1961. Yet almost 10 years later, when RPI students joined the National Student Strike in 1970, their document, "Requisites for a Technological University," noted:

At present the power of all policy making is concentrated in the hands of the Administration. The faculty are treated as employees; the students as clients. Neither are treated as responsible participants in University decisions. Furthermore, the Administration acts to intimidate the individual and to suppress his political and social freedoms. In short, the student and faculty constituencies of the Institute are subjected to the tyranny of an unresponsive Administration (February 25, 1970).

Over the ensuing decades, the Rensselaer Faculty Council expanded its role in governance and in 1993, after a constitutional convention and approval of the Board of Trustees, it became the Rensselaer Faculty Senate (RFS). The constitution was incorporated into the faculty handbook, the most recent version of which was approved by the Board of Trustees in January 2006. Soon after approval, the "tyranny of an unresponsive Administration" emerged full-force, culminating in a governance crisis that led to the complete demise of the RFS.

## II. Outlines of the Current Governance Crisis

Soon after the Board approved the faculty handbook in January 2006, a disagreement and attendant misunderstandings developed between the Rensselaer faculty (represented by the RFS) and the administration. The debate concerned how change to the Faculty Senate Constitution was to be initiated, who could do so, and how that document could or should be amended. At the heart of this impasse lay the question, "Who decides?" The Rensselaer faculty is composed of tenured and tenure-track faculty, librarians and archivists, research professors,

clinical (teaching only) faculty, and adjunct faculty. The voting rights of the 75 or so clinical faculty were at issue in the spring of 2006.

When the RFS constitution was initially adopted in 1993, the Institute employed few if any clinical faculty; thus this category was not specifically mentioned in the document. In spring 2006, more than 200 faculty members (88 percent of those voting) voted to expand the definition of “faculty” to include clinical faculty. According to Mike Fortun, then recording secretary of the RFS, “This was the culmination of a nearly two-year process, during which the Senate and [its] executive committee were in constant communication with the administration through the proper channels, i.e. the provost at the time, Bud Peterson, who fully supported the change” (electronic communication, 8/16/07). Faculty saw an opportunity to remedy what many viewed as an oversight; inclusion of clinical faculty was seen as the extension of formal recognition to a formerly under-recognized group. The outcome of this vote was never implemented. Instead, it became the proximate catalyst of the governance crisis unfolding at Rensselaer.

The RFS interpreted its constitution as requiring changes to be initiated and voted on by the faculty before being forwarded for sequential approval by the provost, the president, and the Board of Trustees. This interpretation did not become contentious until the Board of Trustees interpreted itself as having the power to direct the RFS to change its constitution. After its December 2006 meeting, the Board of Trustees directed the RFS to amend its constitution and limit the definition of faculty to tenured and tenure-track faculty only. Not only did the Board of Trustees direct the RFS to disregard the outcome of the spring 2006 vote, it simultaneously disenfranchised 160 retired and emeritus faculty, research faculty, archivists, and librarians who were constitutionally eligible to vote, and had been since 1993. The Board’s directive placed the RFS in a structural trap: Bound by the existing constitution, the senate felt that it could not act upon the Board’s request even if it agreed on the substantive issue of disenfranchisement. According to the RFS constitution, amendments had to pass by a two-thirds majority of the faculty. Having just voted to enfranchise clinical faculty, it seemed contradictory, to say the

least, to go back to the electorate and engage in an electoral process to take back the franchise. Furthermore, the recently disenfranchised would have to participate in a referendum held to seal their fate. Understandably, many expressed reluctance to do so.

Complicating matters was the departure of Provost Peterson in summer 2006, who had championed clinical representation. When the RFS forwarded the results of the 2006 vote to the administration, it did so with the provost's express encouragement. However, after Peterson's departure, the newly-appointed acting provost, Robert Palazzo, took a different position. He declined to forward the faculty's decision to extend voting rights to clinical faculty to the President because it conflicted with his personal views. He expressed his position in a letter to President Jackson dated November 20, 2006, making clear that he disagreed not only with his predecessor but also with the faculty's decision and the outcome of the vote. He suggested language "to reflect the vestment and responsibility of the tenure and tenure-track faculty," which appeared seven months before the formal suspension of the RFS. The administration, in other words, saw itself as having the power to dictate the very terms on which governance would take place on campus—*without input from faculty*.

Having been presented with the Board's directive to restrict the definition of faculty, the RFS deliberated on its response throughout the first few months of 2007. In March 2007, in the spirit of shared governance, it adopted a resolution requesting that President Jackson convene a committee of faculty, administrators, and at least one trustee to decide what should be done in the face of a self-evident structural and political impasse. The goal of the RFS request was to resolve the issue and place something before the faculty electorate by spring 2008, the time of year both faculty and student elections were traditionally held. However, the president declined the opportunity for deliberation. Despite the Rensselaer administration's preoccupation with redefining faculty voting rights on its own terms, the administration offered no solution for what the RFS was supposed to do with edicts that would lead it to violate its own constitution and thus the *Rensselaer Faculty Handbook*. No explanation was forthcoming as to why the

president turned down the RFS proposal for a joint working group of faculty, administrators, and trustees to figure out how best to implement the Board's directive. Not realizing the full extent of the trap closing around it, the RFS proceeded as usual to hold elections for officers and senators in April 2007. All procedures occurred according to those set forth in the faculty handbook. With the exception of two officers (who succeeded to positions as set forth by the constitution), all of the senators and officers elected to office in spring 2007 were new to the RFS. Their first task was to serve on a hiring committee for the provost's position. Although the RFS committee expressed reservations about the hiring of internal candidate Palazzo, the president appointed him provost. The RFS passed a resolution in July that applauded the president's vesting of the provost's position with the title and role of Chief Academic Officer, and called for an amendment to the Rensselaer bylaws in order to make this change permanent. The RFS invited the provost to its fall meeting and prepared to resume discussions about the enfranchisement issue when school was back in session.

To the surprise of the campus, on August 7, 2007, following a three-week "review of governance," the provost summarily suspended the RFS in an e-mail to all faculty. He justified this action on the basis of the RFS failure to "comply with a directive from the university's Board of Trustees to restrict senate membership to tenured and tenure-track faculty members" (see Paula Wasely, "Rensselaer Professors Challenge Provost's Decision to Suspend Faculty Senate," *Chronicle of Higher Education*, November 21, 2009). He cited lack of compliance on the part of the RFS, referring to the fall 2006 vote to extend voting rights to clinical faculty, and declared the spring 2007 elections invalid. The RFS was locked out of its Web site and all staff support was withdrawn. The provost then moved to implement a "transitional governance structure" and governance review process that had the apparent approval of the president and the Board of Trustees. Palazzo convened a meeting on August 22, 2007, to clarify these actions. Both administration and faculty were concerned about the continuing function of the RFS standing committees (Curriculum, Honors, Faculty Handbook, and Promotion and Tenure), but

particularly the Promotion and Tenure Committee. Because he deemed the results of the 2007 RFS election invalid, the provost intended to call back outgoing committee chairs and members, and ask them to continue for an additional year.

The charge of the governance review committee was to develop a new governance structure. Although representatives to this committee were to be elected from each of the five schools (Engineering, Science, Business, Architecture, and Humanities, Arts, and Social Sciences), no general mechanism for the electoral process was suggested; furthermore, the provost reserved the right to determine the final composition of the committee from among those elected. In particular, the formal suspension specifically excluded elected representatives of the suspended RFS from participating in the governance review process on grounds that “those most clearly engaged have a conflict of interest.” It thus appeared to many faculty that the governance review committee was *itself* a transitional form of governance appointed by the administration rather than elected by the faculty. Structures of accountability and electoral processes were completely lacking, all of which played a role in the remarkable display of faculty unity that followed in the immediate wake of the suspension.

At the time, the suspension of a faculty senate was an almost unprecedented move, and it thrust the campus into turmoil. Faculty viewed Palazzo’s announcement as a surprise attack on the integrity of the structures of governance and the faculty’s right to self-definition and self-determination. The suspended RFS convened a general faculty meeting on September 12, 2007, to determine the will of the Rensselaer faculty, who voted to place before the full faculty a referendum worded thus:

We the faculty of Rensselaer Polytechnic Institute wish to declare our support for the Faculty Senate as our representative body, and endorse the *Faculty Handbook* as the sole instrument presently in force concerning faculty governance at Rensselaer.

In particular we affirm the legitimacy of the spring 2007 election that was conducted in accordance with the procedures of the *Faculty Handbook*, and we call for the immediate restoration of the Faculty Senate and its committees to their governance functions.

Furthermore we support only those proposals to revise faculty governance that follow the procedures outlined in the *Faculty Handbook* for such changes.

Finally, we call on the Provost to enter into dialogue with the Faculty Senate in a legitimate process of shared governance that results in restored mutual trust.

On September 24-26, 2007, tenured and tenure-track faculty voted by a 10:1 margin (200 for, 21 against, 7 abstentions, of 359 eligible voters) for immediate reinstatement of the RFS, the rebuilding of shared governance, and the restoration of mutual trust. This result demonstrated unprecedented faculty unity despite a broad range of opinion within the faculty about the situation and how best to respond.

Because limited participation by faculty in governance at Rensselaer was an increasingly serious concern, the suspended RFS had felt that it was time to take another look at the state of shared governance on campus, and would have had little reason to interfere with a governance review conducted under normal circumstances. However, a governance review committee hastily conceived by the administration in the early days of the crisis was considered ill-advised. The outcome of the referendum reflected the faculty's faith in the RFS as their legitimate representative, but also obligated the suspended RFS to continue to represent the faculty despite the suspension. The referendum also led to the purview of the governance review committee being reduced by the administration from a "transitional governance team" to a benchmarking body simply looking at "best practices" across five institutions. However, the will of the faculty—reinstitution of the RFS—went unrecognized in the wake of the referendum, which the administration designated "unofficial."

The Board of Trustees, the president, and the provost ignored referendum results despite broad-based AAUP concerns expressed in a letter to the Rensselaer administration, negative



publicity in the region, and national coverage in the *Chronicle of Higher Education* and *Inside Higher Education*. RFS President Larry Kagan asked President Jackson to mediate the dispute between the faculty and the provost, the outcome of which was typical for academia—it led to the formation of a new committee.

### III. Further Actions to Resolve the Crisis

#### **Formation of the Palazzo–Kagan Committee**

The scaling back of the governance review committee and the continuing suspension of the Faculty Senate meant there was no body that could advance new proposals for constitutional amendments. The provost, working with Faculty Senate President Kagan, convened what became known as the Palazzo–Kagan Committee on November 15, 2007. The committee was composed of the provost and two other administrators (both one-time Faculty Senate officers), Kagan, and two faculty members, one a former Faculty Senate officer). This committee met in the late fall and winter of 2007–2008 and was independent of the governance review committee.

The committee in good faith set about crafting amendments to the current constitution, still said to be in force despite the formation of this extra-constitutional committee. Although the suspended RFS saw a version of that document in late January 2008, it was not issued to the faculty in any form at that time. No public forums for deliberation over the proposed constitutional amendments were held to allow faculty input and deliberation, despite the promise these would take place. Instead, the administration held on to the documents and forwarded them to the president and the Board of Trustees, which met in February and proceeded to issue another edict that caused great consternation on campus:

#### Faculty Handbook *Resolution*

Whereas, the Board of Trustees of Rensselaer Polytechnic Institute, maintaining its fiduciary duty and obligation to the faculty and students, relative to the academic function

of the University, must assure the quality of the Promotion and Tenure process, and the quality of Curriculum; therefore,

Be it resolved, that the Board of Trustees affirms the principles of faculty rights and privileges, as provided in the *Faculty Handbook*, which principles are separate and distinct from any document which may establish and govern any specific form of faculty governance. Specifically, the Promotion and Tenure, and Curriculum review processes shall operate independently of any newly established, or reestablished, form of faculty governance. The President shall provide for the appropriate representative members of any such committees to be selected for the implementation of the Promotion and Tenure, and Curriculum review processes (our emphasis).

Faculty were shocked by this Board resolution. Many viewed it as usurping the power of the standing committees of the RFS and undermining the reestablishment of shared governance, because members of the Promotion and Tenure and Curriculum Committees formerly had been elected according to the rules and procedures set forth in the RFS constitution. Yet the president referred to the “ball now being in the faculty’s court” in the General Faculty meeting held April 2, 2008. The president and provost both insisted that the Board still intended promotion and tenure processes to work through the faculty committees as they had in the past, and that the Board was simply “reiterating authority lines and responsibility lines that have always existed.” The president stated, “There is no intent on my part or the Board’s for that to change.” However, in the context of the governance crisis, faculty did not see the administration as acting in good faith. Additionally, the Board resolution was issued in advance of the release of the Palazzo–Kagan document to the faculty. Understandably, Rensselaer faculty felt that deliberation had been circumvented. Furthermore, even though the president and the Board of Trustees had apparently “blessed” the Palazzo–Kagan document, it was impossible for the faculty to discuss it or entertain revisions from the floor. Unlike the report of the governance review committee, the online document was both password-protected

to restrict access and in a format that did not allow it to be easily printed out with the proposed revisions. Thus, there was no chance that the Palazzo–Kagan document would pass with the necessary scrutiny, deliberation, and the two-thirds vote required to amend the constitution. By the end of the first full academic year of the “governance crisis,” it appeared that we were back at an impasse.

By fall 2008, the Office of the Provost had absorbed all four of the committee functions previously the province of the RFS—curriculum, tenure and promotion, honors and awards, and, critically, the *Faculty Handbook* committee. Deans were instructed to hold elections in each school by whatever electoral procedures they chose, similar to the uneven and arbitrary process used the previous fall for selection of representatives to the Faculty Governance Review Committee, including appointment in cases where these “electoral” processes failed to yield candidates acceptable to the administration. While faculty members were able to “vote,” they did not do so in the context of a representative body, nor did they do so according to established procedures. Still, the administration could claim committee members were “elected” and not appointed.

### **Formation of the Scoping Committee and the Constitutional Committee**

Lacking any mechanism by which the suspended Faculty Senate could become recognized or “unsuspended,” it formed a small “scoping committee” in the summer of 2008 to maintain communication channels with constituent groups, including the administration, to see what room for negotiation there might be. Early in fall 2008, the suspended RFS, still meeting in exile, voted to form a constitutional committee. Chaired by E. Bruce Watson, this committee was composed of faculty perceived as nonpartisan “neutral parties” who could garner collegial respect. The committee attempted to define and address the sticking points for all disputants. The new RFS constitution went up for a full faculty vote in February 2009. Garnering over 300 votes out of 368 eligible (tenured and tenure-track) voters, it passed by a wide margin. Results

were similar across faculty groups (colored ballots were used to separate tenure and tenure-track faculty votes from those of non-tenured faculty as a concession to the wishes of the Board of Trustees). Faculty expected the administration to approve this constitution and hoped to effectively reconstitute governance in fall 2009.

But this was not to be the fate of the third attempt to reconstitute governance at Rensselaer. On March 30, 2009, the provost announced that he had determined that the “modified constitution” did not comply with the resolutions set forth by the Board of Trustees the year before. He called a general faculty meeting for April 8, 2009, and late on the afternoon of April 7, 2009, he sent out a marked-up document substantially reversing almost all of the Constitutional Committee’s revisions and offering new measures that had not been fully discussed. The tone of the April 8 meeting was somber, and attended by only 30 faculty members. Most present heard it as the death knell for faculty governance at Rensselaer, despite the provost’s professed optimism that the crisis could be resolved by the end of spring semester. On April 24, 2009, the provost announced that the interim governance structure set up by his office would continue. The faculty, exhausted and embittered by a process that seemed designed to demoralize, let the matter rest.

### **Lessons for Shared Governance from Rensselaer**

Rensselaer now experiences a form of “administratively appointed governance” that rides roughshod over faculty self-determination and academic freedom. This model has produced structures and policies rhetorically aligned with, but basically hostile to, shared governance, as in the Board resolution quoted previously. Rensselaer now embodies this model; two years after the suspension of the Faculty Senate, Larry Kagan, the outgoing Chair of the Faculty, pronounced shared governance dead at Rensselaer.

What actually happened to shared governance at Rensselaer? Was the Rensselaer Faculty Senate an early casualty of structural change within higher education — micro-level canaries in

the coal mines of an industry about to undergo profound restructuring? Or did shared governance fall to the processes of centralization and corporatization set in motion by the 1999 arrival of a president intent upon exerting an authoritative grip over the campus? What lessons can we draw from the Rensselaer experience, which began well before the economic downturn thrust shared governance into greater crisis elsewhere? At the time the provost suspended the Rensselaer Faculty Senate, this was an almost unprecedented move. It thrust the campus into turmoil. An erosion of shared governance on this campus had been gradually underway since before the suspension, but the provost's action accelerated the process and threw it into high relief. Until these events, the Faculty Senate had played a merely advisory role to the Office of the Provost, and its influence was, in fact, quite weak. Faculty reluctance to serve in a representative capacity stemmed from several sources: the gradual centralization of authority occurring on campus, the corporatization of the university, and structural changes that pressured faculty time commitments in ways that made participation in governance seem relatively futile. Furthermore, doing so in the context of an unrecognized or suspended body that had somehow run afoul of the administration was even more unattractive.

The campus had been living with nearly a decade of widening disagreement between faculty and administration. President Shirley Ann Jackson brought a hierarchical management style with her from the Nuclear Regulatory Commission, which she headed under the Clinton administration. Her style is built upon the bedrock of tight control over a "cabinet" of about 35 administrators, and tight centralization of decision making. Although it has been pointed out that this management style did not serve Jackson well at the NRC, it has proved disastrous in the academic context of Rensselaer. While Jackson can be credited with many positive changes on the campus, she has lost the support of a wide swath of her constituency due to sweeping changes imposed without input from, or concern for the effects of these changes upon, faculty, staff, or students. Students have become alienated by decisions made about student life during the Jackson regime to the point of organizing around the issue of "transparency." Graduate

tuition policies were abruptly changed in 2002, affecting quality of life for faculty and students. These and other accumulated grievances resulted in a no-confidence vote in the president and provost by the faculty in the spring of 2005; the vote was very nearly split down the middle, but the slight edge in Jackson's favor allowed her to claim victory and to continue her policies unchanged.

In the wake of the no-confidence vote, the ongoing destruction to faculty-administration communication channels was further documented in the Middle States accreditation process. Indeed, the Middle States Commission on Higher Education report on the accreditation process called for the formation of a committee to address the Institute's stance toward the communicative gulf between faculty and administration. Chaired by Langdon Winner, a Faculty Communications Committee was formed. However, many of its members had been current and past presidents and members of the Faculty Senate, and resigned in the fall of 2007 in the wake of the suspension of governance. As Winner wrote in his resignation letter, "Recent decisions having to do with faculty governance at Rensselaer have rendered this inquiry all but impossible to move forward. The atmosphere of division and mistrust at Rensselaer discourages the kinds of reasonable, positive deliberation I had hoped to facilitate." The Middle States standard "expects a climate of shared collegial governance in which issues concerning mission, program planning, and resource allocation can be discussed openly by those affected by and responsible for such activity." It is unlikely that an institution that has suspended faculty governance can meet that standard, but the Middle States accreditation process remains a longer-term consideration for the administration. At present, several high-profile administrative departures—including four out of five deans in the past two years—indicate internal dissatisfaction along the "chain of command." Yet the provost issues constant pleas for the faculty to defer to the authority vested in the "chain of command." We doubt this crisis could have arisen in an environment where the "chain of command" was not enforced at all costs. This is one of the great lessons that emerge from the governance crisis at Rensselaer: Formal

mechanisms were not robust enough to allow for negotiation beyond or around the impasse into which the administration thrust the faculty. Informal channels had also been eroded; unlike many business settings, there were no social ties or trusting relationships between faculty, administrators, and trustees that could have been used to heal an increasingly polarized situation.

In the wake of the suspension of the Faculty Senate, the mechanism by which the impasse could be bridged became unclear. Some would argue that structural problems—namely, whether or not the Board of Trustees could direct the Senate to change its constitution when that document specifically stated procedures for amendment by the electorate—always drove the controversy. Although there are other interpretations of the events involving clash of leadership styles and individual personality conflicts, we believe that the structural issues could have been resolved were all parties willing to negotiate. Instead, the Board of Trustees and other administrative personnel refused the path of negotiation and reiterated a rigid, formal, and hierarchical approach that exacerbated existing tensions. Given that, it is useful by way of summary to examine each of the constituency groups involved in the controversy to understand the evolution of their separation from each other.

### **Board of Trustees**

The Board, while extremely powerful, has allowed itself to be cut off from direct contact with faculty, instead cooperating with the administration to solidify a single narrow and hierarchical communications pathway through the president. In earlier times, the faculty and trustees met once a year on campus for dinner, conversation, and social interaction, enabling the trustees to monitor the academic atmosphere and to cultivate ad hoc relationships with individual faculty members. This annual event became increasingly formal and orchestrated during President Jackson's tenure, and direct contact between faculty and trustees has been forbidden outside of the "chain of command." This isolation of the Board reduces the capability of faculty members

and trustees to understand each others' viewpoints, increases alienation between these two critical constituencies, and eliminates informal communication avenues that might otherwise have helped to avert the crisis. As a result, the Board has lost the ability to communicate meaningfully with the faculty, and the faculty have no way to reach the Board. This has allowed miscommunications that have unnecessarily fueled the fire. For instance, while everyone knows that the Board of Trustees is considered the ultimate authority on campus, chair Samuel Heffner found it necessary to send numerous e-mails re-asserting this authority to the faculty and underlining the board's support for President Jackson. Additionally, the Board enacted the resolutions referred to above in unnecessarily provocative ways. No recognition of the years of impasse into which the Board has thrust the campus has been forthcoming. Continued lack of communication between Board members and faculty members has led to escalating misunderstanding and declining trust; the remaining tenuous connection between the Board and the faculty through the Faculty Senate Executive Committee has been lost.

### **Administration and Control of Dissent**

The administration tried to use the opportunity afforded by the governance crisis to achieve a number of goals regarding faculty who spoke out about governance. One of these initiatives, which did not ultimately come to pass but was used to instill fear during the "hot" crisis, was to institute a "code of conduct" that would control, among other things, the ability of faculty to communicate with the world outside Rensselaer, and to make use of the media. The administration swiftly curtailed access to the Faculty Senate Web site once the suspension was announced. Through the student newspaper, *The Poly*, the provost asked students to "inform" on faculty who spoke in class about the governance situation. The administration also attempted to prevent faculty who had any kind of grievance against the university—for instance, claims of age or sex discrimination—from being eligible to serve in a governance role. In seeking to control the portrayal of events on campus, the administration effectively chilled



dissent. There remain very few faculty members willing to speak about the RFS because they realistically risk repercussions to their individual careers, laboratories, staff members, graduate students, units such as centers, departments, and even schools.

The faculty handbook is the source for information about the faculty's role at Rensselaer and its responsibilities, procedures for appointments, promotion and tenure, grievances, benefits, and leaves, and so forth, as is true at most universities, and was specifically under the purview of a committee of the Faculty Senate. Changes in the handbook were initiated by this committee, subject to approval by the full senate, the administration, and, ultimately, the Board of Trustees. The loss of shared governance has led to responsibility for its contents being assumed by the Provost's Office through its "transitional governance" structure. This is particularly important because the handbook includes both the definitions of faculty and the faculty senate constitution. Clearly, the administration can now resolve the issues that have divided campus constituencies without having to resort to democratic channels. Although such changes have not yet occurred, the "interim" governance structure that has been put into place could conceivably make changes to the faculty handbook that bypass approval by the faculty as a whole, moving directly from the provost's office to the Board of Trustees. For now, however, the version approved and then repudiated by the Board in January 2006 remains the sole source for defining and describing faculty rights and responsibilities.

One of the continuing sources of dissension between the faculty senate and the administration has been the relevance of the employee handbook to the faculty. The faculty senate has raised this issue a number of times over the years, asserting that the employee handbook does not apply to faculty, and passing motions to that effect most recently in 2003 and 2005. The 2003 resolution is specifically quoted in the 2005 resolution:

Whereas Human Resources has published a 2003 Employee Handbook that was subject to the following motion passed on 10/29/2003, the Senate repudiates the applicability of the

Employee Handbook to the Faculty and asks that any future editions of this handbook be named 'staff'.

And, whereas there is a larger, similarly titled, document relating to policy and procedures that has not been generally distributed to the faculty and that is not available online, we, the Faculty Senate of Rensselaer Polytechnic Institute, hereby resolve as follows:

All policy and procedures relating to scholarly activity of the faculty and all communications among and between faculty are subject only to applicable law and provisions of the Faculty Handbook.

However, a provision in the employee handbook was used as a disciplinary measure against an outspoken critic of the administration who was also a full professor, with Human Resources asserting that it was pertinent. Obtaining an up-to-date copy of the employee handbook proved difficult even as of this writing. Only an out-of-date version of the *Rennselaer* [sic] *Employee Handbook* is available online for download (the document still contains the formerly generous staff vacation and sick leave policy that has since been cut). The word "faculty" appears in this document only four times, all in the context of lists (e.g., "Each employee is to be courteous towards fellow employees, faculty, students, and visitors"), indicating a clear distinction between employees and faculty. In the absence of a faculty senate, however, it is likely that the employee handbook will continue to be misused as a tool to stifle dissension by faculty. This pattern is an indication that the Rensselaer faculty have not come so far from the condition described in "Requisites for a Technological University" (1970):

At present the power of all policy making is concentrated in the hands of the Administration. The faculty are treated as employees; the students as clients. Neither are treated as responsible participants in University decisions. Furthermore, the Administration acts to intimidate the individual and to suppress his political and social freedoms. In short, the student and faculty constituencies of the Institute are subjected to the tyranny of an unresponsive Administration (February 25, 1970).

## Faculty

Faculty, divided by rank and category, were unusually unified in the immediate face of the suspension, acting quickly and concertedly to call for reinstatement of the Faculty Senate and a return to constitutional governance. The unwillingness of the administration to realize that it had overstepped, however, divided the faculty. Some saw those who continued to work toward reinstating governance as overly willing to compromise with the administration. Others withdrew and resigned all governance positions as they took a stance of principled resistance or non-engagement. Elimination of places for informal interactions between faculty from different disciplines, between faculty and staff, and between faculty and administration—such as the large, cafeteria-style faculty–staff dining hall—accelerated the tendency of “divide-and-conquer” strategies to win out over collaborative decision making. Faculty witnessed the downside of involvement in the governance crisis among their peers, and many acted to minimize damage to individual careers and research units by not becoming or remaining involved.

Generational differences were also salient in the form that the struggle has taken. There are essentially three groups of tenure and tenure-track faculty currently at Rensselaer: senior faculty who have been at Rensselaer since before Jackson and thus suffer salary compression; junior faculty for whom direct confrontation is ill-advised; and “star” faculty hired at very high salaries, often from nonacademic environments. In recent years, search committees have often preferentially consisted of recent hires and administrators who directly report to President Jackson and have few ties to the faculty. These divisions in the faculty contributed to the administration’s “divide and conquer” tactics as well. Since the fight was about voting rights, most notably for clinical faculty but also for retirees and emeritus professors, these divisions were underscored to the point that shared interests were overridden. Overall, the faculty’s sense

of community, derived from common purpose and shared academic values, has been the greatest casualty of the Jackson regime and the governance crisis.

### **What Next?**

Three attempts to restore shared governance at Rensselaer took a heavy toll on faculty who remained involved throughout. The suspended RFS was decimated by succession and forced to disband in spring 2009 because it simply could not replenish its ranks. Without administrative support or recognition, the RFS remained neither viable nor, increasingly, representative. The Governance Review Committee, the Palazzo–Kagan committee, and the Constitutional Committee were short-term efforts with a limited time horizon. Once the products of these bodies fell short of faculty support or administrative buy-in, no policy mechanisms remained in place by which to reconstitute shared governance. Lacking internal mechanisms—formal or informal—much of the faculty now looks at “governance” as an administratively imposed burden. While the administration at Rensselaer maintains that governance is an internal affair, no internal process tried thus far has facilitated the reconstitution of governance on the campus. Left without internal recourse after three failed attempts to reinstate governance, faculty have been forced to look elsewhere or remain in a state of suspended animation.

What will come next for Rensselaer, we fear, will be institutionalization of the current “interim” governance structure. The standing Faculty Senate committees were absorbed by the Office of the Provost; some believe that this structure was what the administration had in mind all along. Heads of these committees together constitute an “advisory committee” to the provost, displacing the role of the Faculty Senate Executive Committee. Furthermore, there is now no constitution governing nominations, elections, or outcomes relating to the composition of this “advisory committee.” Lacking the integrity secured by a constitutional system of governance, elections are purportedly democratic but have no checks and balances or structures of accountability in place. With the Board of Trustees out of touch with the academic

community, and the faculty now further isolated and divided from each other, it is now much easier for the administration to manipulate the system to reflect administrative values. A charade of governance continues on this campus; the substance of shared governance has perished.

Is there any hope that some form of shared governance can be re-established? Several faculty members continue to press for a mechanism by which this can be accomplished, and both the national office of the AAUP and the New York State AAUP Conference have been involved in keeping the issue alive. The authors of this essay will continue to monitor and report on the situation.

#### Chronology of the Demise of Governance at Rensselaer

|                |  |
|----------------|--|
| January 2006   | Latest revisions to Faculty Handbook approved by the Board of Trustees   |
| April 2006     | Faculty votes to extend Faculty Senate (FS) representation to clinical (teaching-only) faculty   |
| July 2006      | Provost Bud Peterson leaves RPI; Robert Palazzo named acting Provost   |
| December 2006  | Board of Trustees directs FS to amend FS constitution such that only tenured and tenure-track faculty are represented, effectively disenfranchising research faculty, retired and emeritus faculty, and librarians and archivists                  |
| March 2007     | Faculty Senate asks President Jackson to convene a working group of faculty, administrators, and trustees to resolve impasse   |
| April 2007     | Jackson rejects FS resolution; acting provost later denies the FS attempt to avoid the impasse   |
| April 2007     | Annual FS elections held as per approved procedures  |
| May/June 2007  | Palazzo named Provost  |
| August 2007    | Palazzo initiates a review of faculty governance, and suspends the Faculty Senate within three weeks; declares spring 2007 FS elections invalid; Board of Trustees extends term of people elected to standing FS committees for an additional year |
| August 2007    | (Suspended) FS responds, calling election valid  |
| September 2007 | Governance review committee established by President   |

|                   |   |
|-------------------|---|
|                   | Jackson   |
| Sept. 12, 2007    | General Faculty meeting, moderated by suspended FS President, drafts a resolution for referendum on FS suspension calling for the restoration of the FS and the establishment of dialogue to restore mutual trust |
| Sept. 24-26, 2007 | Vote by tenured and tenure-track faculty overwhelmingly (200Y:21N:7A) supports re-establishment of the FS and dialogue with Provost to restore mutual trust   |
| September 2007    | Exchange of letters between national AAUP and RPI   |
| October 2007      | "Governance Review Committee" charge scaled back; Palazzo/Kagan Committee established to develop amended FS Constitution for faculty consideration  |
| January 2008      | Palazzo/Kagan Committee completes its work; draft shown to suspended FS before being withdrawn from circulation to faculty for President's and Board's consideration and approval                                 |
| March 2008        | Board of Trustees issues resolution separating specific standing faculty committees (Promotion and Tenure, Curriculum) from faculty governance  |
| April 2008        | Palazzo/Kagan draft becomes accessible to tenured and tenure-track faculty for consideration; vote falls short of needed 2/3 margin   |
| May 2008          | Suspended FS establishes "scoping committee" to review latest version of FS constitution (January, 2006) and determine where room for negotiation might lie   |
| Sept. 17, 2008    | Constitutional Committee, composed of respected "neutral" faculty, established to develop new draft of constitution that would be generally acceptable  |
| February 2009     | New FS Constitution draft made available to faculty; eligible (tenured and tenure-track) faculty approve it by wide margin (300 out of 369 eligible voters)   |
| March 30, 2009    | Provost announces modified constitution does not comply with Board of Trustees resolutions; issues heavily edited version reversing most emendations and adding new ones  |
| April 8, 2009     | General faculty meeting convened by Provost to discuss rejection of new constitution draft; poorly attended   |
| April 24, 2009    | Interim governance structure, based on Board of Trustees' edict separating standing committees from FS per se, to continue through fall, 2009   |