



921 South 8<sup>th</sup> Avenue • Pocatello, Idaho 83209-8063

January 10, 2011

ISU Faculty and Staff

Dear Colleagues:

We hope that you had a restful holiday break and are looking forward to a productive spring semester. We are writing in response to Faculty Senate Chair Phil Cole's recent message to the faculty to clarify some matters and to give you an update.

Under State Board of Education policy, the President is charged with establishing and maintaining an effective and efficient system of institutional governance and has been granted the powers to do so. In meeting this responsibility, he must be able to evaluate the existing governance system, determine whether it is providing advice in an effective and efficient manner that will help achieve institutional goals, and effect change where he deems necessary for a fully functional advisory system that complies with Board policy. This process of reviewing the governance system, and reforming it where indicated, is done with input from all constituent groups and is particularly critical for an institution that has been recently reorganized.

In addition to this general mandate, in June the State Board of Education expressly directed the President to conduct a review of faculty governance at ISU. As you know, this occurred during the Board's June 2010 meeting, after the earlier vote of the Board to approve ISU's proposed reorganization in its April 2010 meeting. In response, the President appointed a faculty committee to conduct this review, and it produced a report recommending ways to reform faculty governance on our campus. Prior to submitting the report to the SBOE, the President was approached by Phil Cole, who asked to participate in the process of producing the reforms of faculty governance. As a result, the president agreed to delay making a recommendation to the Board and instead to appoint a joint committee to propose ways to implement the kinds of reform proposed by the committee.

Before the second committee produced its report and after the President had characterized the current Senate as "dysfunctional," the Senate voted to conduct a confidence vote. Before the vote was scheduled to take place, Board member Ken Edmunds requested that he, Phil Cole, and the President meet to consider what might be done to arrive at a mutual understanding. At this meeting, Phil Cole, as leader of the Senate, and the President worked out a formal agreement to use the services of a facilitator to help ISU administration and faculty finish their work on governance reform—and this was the precise scope of the facilitated discussion that was agreed upon.

As you can see, since last spring and at the Board's direction, we have been pursuing a process to review and reform faculty governance on this campus. The President has been more than receptive to appeals by Senate Chair, Phil Cole, to participate in the process, first by helping to appoint an implementation committee, and then by agreeing to a facilitated conversation. As is clear from today's message from Phil Cole, the present Senate's understanding of this sequence of events is much different from what has been transpiring steadily since the Board's mandate in June.

We would like to address several specific statements in Phil Cole's message, so that you have a clear idea of the facts. Below are statements from the message with indented responses:

- 1) The word "mediation" is not mentioned once in the contract.  
The process agreed upon by Phil Cole and the President in the presence of a Board member was not a mediation on grievances but a "facilitated discussion" on what a reformed faculty governance model would look like.
- 2) It is a contract for a consultant and one whose services will be conducted primarily through telephone interviews, conference calls, and e-mail. There is no expectation of a campus visit.  
The contract specifies two phases: Phase 1 is a planning session where the parties would come to an agreement about how the actual facilitated discussion would take place. Phase 2 is the actual discussion and would necessarily take place on campus (or at another location in Pocatello). It is not true that there is no expectation of campus visits in Phase 1. Funds have been provided in the contract for that as well as for any other expenses that may be needed, if approved by the President.
- 3) The contract limits discussion to an IGAC-like model of shared governance.  
No such limitation is mentioned in the contract. What is mentioned is that the facilitated discussion would be limited to "issues and concerns related to the role of the Faculty Senate in shared governance."
- 4) It is not clear if anybody on the faculty side other than members of the Executive Committee of the Faculty Senate may speak to the "mediator."  
This applies only to Phase 1, but the issue of who will speak to whom is one of the many issues that the discussions in Phase 1 are intended to decide.
- 5) The contents of the January 1, 2011, letter from President Vailas were never agreed to by the Faculty Senate or by Chair Cole.  
This agreement took place in the presence of a Board member, who subsequently confirmed both by telephone and email that this was in fact his understanding of the agreement.
- 6) The supporting language of Item 4 in the contract is predicated on the IGAC report.  
There is no reference to the IGAC report in the contract. There is, however, language that specifies that the purpose of the facilitated discussion is to agree on "a model of shared faculty governance . . . that is most appropriate for ISU."
- 7) The supporting language of Item 4 is inaccurate wherein it states that there was a verbal agreement between Dr. Cole and Dr. Vailas on constraints within the topic of shared governance.  
See the response to #5 above.

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8) VP Fletcher controls the funding for the contract and implicitly controls the contract and its conveyance from Phase 1 to Phase 2. I consider this to be highly inappropriate.

As with any such contract with an external consultant, the “University” is the party who contracts with the external entity. The Vice President for Finance and Administration, as the University Contract Officer, is the final signatory to the contract, but works closely with both the University’s General Counsel, the other Vice Presidents, the President, and the State Board of Education, as required.

9) There is no timeline to get to Phase 2.

This would be decided in Phase 1.

Clearly, for whatever reason it has not been clearly articulated to the Senate at large—and consequently to the faculty at large—the sequence of events that began in June and that is still ongoing. We hope that this letter helps clarify these events for you.

Sincerely,

*Gary Olson*

Gary A. Olson  
Provost and Professor  
Academic Affairs

Sincerely,

*James Fletcher*

James Fletcher  
Vice President  
Finance and Administration