



Campus Life - Faculty

Faculty Speaks

Remains Steadfast in Opposition of Trustee Procedures

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Imagine that a constituency of the Student Senate – one which the senators unanimously agreed to support in whatever decision they make – took a particular stance on an important university issue, demonstrating their position by abstaining from participation in a process that they oppose, a move which other stakeholders at NJIT hold in poor regard. Imagine that afterwards – even after publicly-made remarks label these representatives “irrational” – over 600 students attend a public meeting to show support for the decision made by this constituency.

Such was the response seen from NJIT’s faculty at the April 5th public meeting of the NJIT Board of Trustees, when 42 members of the

NJIT faculty packed the Eberhardt board room, showing their support for the members who addressed the board about numerous university issues, most notably the process by which Dr. Joel Bloom was appointed to his post as President of NJIT.

Tensions about the selection process began arising in November 2011, when on the 21st of that month, a prejudicial job description was posted on the NJIT website that solicited candidates who “demonstrated a commitment to NJIT”. This came only five days after the initial meeting of the Presidential Search Committee (PSC), during which members agreed to jointly produce a job description and nomination schedule that was appropriate to the seventy-day timetable allotted to a nation-wide search.

Following the posting on the 21st, the faculty members of the PSC issued a letter protesting the position description, which was changed ten days later. Following this, all PSC members were asked to sign a non-disclosure agreement, by which no details of the presidential search could be disclosed to parties outside of the PSC, at the risk that, as former faculty member of the PSC, Dr. Amit Bose describes “the university will withdraw their legal protection of that individual”.

Having refused to sign the non-disclosure agreement, faculty members of the PSC were denied access to the candidate database through which they could vet the qualifications of the candidates applying. This effectively would limit the contribution faculty could make in the selection process until candidates were brought

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to campus for interviews, which never occurred.

In regard to candidate privacy, another PSC faculty member, Dr. Andrew Sohn, states that the five faculty members drafted another non-disclosure agreement that promised confidentiality regarding applicant information but preserved transparency of the selection process. This document, however, remained unacknowledged by the Board of Trustees.

Throughout December, other concerns arose regarding the legitimacy of the search process. Among them: the timeline, the board’s refusal to accept nominations, and most notably, the participation of Interim President Joel Bloom’s Chief of Staff, Dr. Hank Ross, on the Presidential Search committee.

Multiple attempts were made by Faculty Council Chair Dr. Mill Jonakait to open avenues of discussion about these concerns, including a special meeting with the Distinguished Professors of the Faculty Council and trustee representatives, most of which were curtailed by Board of Trustees Chair Kathleen

Wielkopolski.

As Bose reported, “The Chair of the Committee, and the Board of Trustee Chair, and the Board of Trustee Vice Chairs, the four of them refused to budge on it. They said, “this is not a conflict of interest; we’re not going to change our minds of it,” and that was as to whether or not the chief of staff should be sitting in the room while his boss is the candidate.”

The Board’s refusal to address a clear conflict of interest resulted in the resignation of the five faculty members of the PSC. Following this, the Board appointed Bloom as President of NJIT on January 9th, more than two weeks before the end of the seventy day period initially agreed upon by the PSC, and almost one month after the date initially intended by PSC members representing the Board of Trustees.

A follow-up resolution released by the Faculty Council in response suggested that, looking forward, “dialogue should begin immediately with the Board of Trustees and Faculty Council to establish with clarity the process and time horizon for the search that will bring in a new president in July 2015”, after Blooms tenure is over.

To this board Chair Kathleen Wielkopolski replied, “Formation

of the Presidential Search Committee and populating the committee with representatives from all stakeholder groups was designed to have collegial communication and interaction among all members. It was never designed to empower certain individuals of a particular stakeholder group.”

She further notes that the Faculty Handbook which the search process reportedly violated is not the policy document that governs the Board of Trustees, but that these powers are delegated by the State of New Jersey. She further maintained, “When the need arises for a presidential search, the trustees will evaluate the challenges and opportunities of the university at that time. They will then decide what is the most appropriate search process.”

Wielkopolski is not incorrect in her assertions, as the New Jersey Statutes under Title 18A, chapter 64 explicitly state that the powers and duties of boards governing higher education institutions are “to determine the policies for the organization, administration, and development of the college... appoint and fix the compensation of a president of the college” and, under chapter 3 of the same Title, to

“have final authority to determine controversies and disputes concerning tenure, and personnel matters of employees.”

What Wielkopolski did not acknowledge in her letter is the other governing body whose regulations the Board must comply with, that is the Middle States Commission on Higher Education, which delineates twelve standards in its Characteristics of Excellence in Higher Education: Requirements of Affiliation and Standards for Accreditation.

Among these standards are requirements that governance structure should foster an environment where “issues concerning mission, vision, program planning, resource allocation and others, as appropriate, can be discussed openly,” and for an institute such as NJIT, “It is the governing body’s responsibility to ensure that the selection process is established, published, and followed.” This Middle States guideline is clearly not in accord with the Board’s attempt to compel the faculty to sign a non-disclosure agreement at the end of last winter. This also violates standard 6, which holds that “intellectual freedom and

freedom of expression are central to the academic enterprise” and that “to restrict the availability or to limit unreasonable the presentation of data is to deny academic freedom.” Standard 6 also calls for avoidance of conflicts of interest and fair and impartial practices in hiring, both of which the faculty have clearly demonstrated the doubt the Board practiced.

After the presidential search culminated, the faculty voted to involve the American Association of University Professors, Middle States Commission on Higher Education, NJ Board of Ethics, and the NJ Higher Education Commission investigate the situation.

So far, the AAUP has contacted the Board of Trustees stating that, if faculty reports are true, then the Board is in violation of its right. Further, The Middle States Commission noted in a press conference following their visit that the NJIT Faculty Council and Board of Trustees must respect each other and communicate more effectively. What is noted and stressed in the official report of the commission, however, remains to be seen.

