

UNIVERSITY OF MASSACHUSETTS AMHERST
OFFICE OF THE FACULTY SENATE

Presiding Officer Robert Wilson called the General Faculty Meeting to order on May 24, 2007 at 3:30 p.m. in the Campus Center Auditorium.

Jack Wilson, President of the University of Massachusetts – Thank you very much for allowing me to come before you, but I have to start with an apology. I really have to apologize for the way that we got to this point and the not very good job we've done of communicating and getting the information out. I spent two days here last week meeting with various constituencies and we had really hoped to have a chance to get a discussion going about a number of issues through that process rather than the way that it played out with a report in the press followed by having to come back again. So, to you, I apologize for that and wish that we could kind of turn that over, but I don't see how that's possible, at this point. So, instead, I want to come before you now and talk about the path forward and a little bit about the original intention of this discussion. I'll take off from my remarks at the Faculty Senate meeting of last week of what is the proposal going forward from here.

The proposal, really, was an effort on my part to think about what we could better do to enhance the University of Massachusetts and the flagship of the University of Massachusetts at Amherst. And, in the time that I've been President and before that, I'd had many people that had suggested different things that we ought to consider and, for one reason or another, we hadn't considered them or, in history perhaps, done them, but then moved on to a different model. And I thought it was a time to put that back on the table and really have a discussion, going forward, about how we would organize ourselves as the University of Massachusetts and how we do that to enhance the flagship because, if we don't have an outstanding flagship, we can't have an outstanding University of Massachusetts. As you know, I am a faculty member here and, as you know, I intend to continue to be a faculty member here and that is the goal of this process. And, what I want to do is find a way to move back in that direction. I looked through the resolutions that are being proposed today, based upon the agenda which came out yesterday and I see that there is a proposal for a task force to have a look at this and that there is some proposal for involvement of the Governor's Office in some fashion with that task force. So, I called the Governor's Office last night because I want to do the right thing and I want to do it in partnership with this group. I want to go forward with a year of dialogue and I think that's a good proposal. In fact, we now have two designates, the Governor's Education Advisor, Dana Mohler-Faria, and the Secretary of Housing and Economic Development, Dan O'Connell, who have agreed to join a blue ribbon, independent task force, chaired by someone from outside the University. If that is what you see fit to call for today, I will take that forward. I will work with the Governor on getting that done. I will work with the Board of Trustees on getting that done and we will involve all of the constituencies. We will involve the faculty, the students and I've already begun to solicit nominations from faculty, students, staff, alumni, community groups to work together in this coming year to define. Now, some have said they prefer the status quo and I absolutely respect that. That is the kind of a discussion point that we should have and, if the status quo is the right model, we should then continue with the status quo. Others have expressed the opinions to me that you would prefer some kind of a lead-campus model and there are a variety of models of that. If that's what you prefer, I suggest that we do that. At the last meeting and the first question, there was a concern that this was a personal effort on my part to become the chancellor here and I said, and I repeat, I'm committed to a search and I've said that again and again. The Boston Globe reporter yesterday said "Are you committed to a search? Suppose that the decision is to go with the leadership, a lead-campus model, with a flagship as the lead campus and merge the chancellor in position. Suppose that happened. Would you commit to a search?" Yes, I will commit to a search. Will I be a candidate in that? No, I will not be a candidate in that. And then the last question was, "What if the Board of Trustees asks you to serve even though you weren't a candidate?" I will decline. So, I hope we could take that heart of the discussion off of the table. That's not what this is about. This is about engaging in a year, working together to understand what we can do to enhance the flagship and the relationship to the University of Massachusetts and thereby enhance the entire University of Massachusetts and that's what I'm proposing, that's what I'm pledging to you, to work with the faculty governance organizations. I think Ernie May would have to tell you that I have never turned down an invitation to come and address any issue, any issue. I've never turned down a request for a document, information that we can get forward to you. I've a strong history of support for the flagship campus and I am a very strong supporter of the Faculty 250 Plan and, in fact, even a little frustrated that's it not moving faster than it is. We've worked very hard to obtain the resources for that and, by the way, this year, we were able to get a 5.6% increase in the budget of which roughly 50 cents

(49.7 for those that keep accurate tally), 49.7% of that comes right here to the flagship at the University of Massachusetts in Amherst and that was at a time when very few people got 5 or 6% raises. We put in a capital request for \$800 million. Of that, \$500 million is to come here to the University of Massachusetts at Amherst and I have bargained that with all of the campuses so that each of the campuses support the fact that UMass Amherst is going to get \$500 million out of an \$800 million allocation, should be get that allocation. Of course, this is a request to the legislature. But, the fact is when we go in there united with everybody saying “yes, we support this,” we get the support of all the delegations, not just the local delegation, but the delegations all across the state because we have already worked this out in compromise and move it forward. I’ve also leveraged grant funding to this campus and, in fact, in the past year, when the legislature gave \$2.5 million to the Medical School, I insisted that the Medical School work with UMass Amherst and with leadership from UMass Amherst and a proposal was put in, jointly done, led by Bob Finberg from the Medical School and George Langford from UMass Amherst. That proposal is now a part of that billion dollar initiative that the Governor announced with us standing behind him and him putting the University of Massachusetts out front. Now, we all do these things together. It’s teamwork, right? That’s my point. If we don’t work as a team, we can’t get these things. When we do work as a team, we do get these things and I could sit here and give you example of example of where we worked as a team, whether it’s UMass Online and built something that is serving now 28,000 students, brings in \$28 million of revenue and, by far, the fastest growing program is here at UMass Amherst, bringing revenue to this campus. When we work as a team, we have success. When we work against each other, we don’t have success. When we work as a team, our legislative delegation works as a team. When we work against each other, we don’t, which brings me to the One University piece which has generated such controversy. I generate think pieces as you do, ideas about “how to you think about this?” “what are we going to think about going forward?” I do a lot of those. The One University think piece that I prepared for a discussion over dinner is such a document. It is not a plan. Parts of it are things that we’ve already done. It’s a summary of things that we’ve done. Parts of it are things that are in progress and parts of it are things we might do. But, what it really is about is what would happen if we thought about our self as a whole rather than as five parts and what are the implications for that. And, that was really meant to be an effort to put a discussion on the table which would then go forward in this task force, in the Faculty Senate, in a variety of other groups all over the campus and, by the way, if the proposal would be to change the governance, it’s probably going to have to go to the legislature as well. So, there are many venues where discussions will take place over the coming year. So, I just wanted to come before you really to kind of put that back. It’s a question of how do we go forward. I’ve read the resolutions and I think there’s much to like in those resolutions and I’m willing to take them to the Trustees; I’m willing to take them to the Governor. I’ve already had the discussions with the Governor’s Office and I think we can put that task force together. I’m looking forward to discussions with the Faculty Senate, with the faculty here, and the Student Senate here and other constituents to get the representation forward and I would hope that we could move forward as a team, in collaboration and in harmony rather than in dissension. Thank you very much.

Professor Robert P. Wolff, Afro-American Studies – Sigmund Freud once observed that if there was one subject that it was not permitted to discuss in an analysis, sooner or later the entire analysis came to be about that subject. I listened carefully to your presentation and there was one subject that wasn’t mentioned and I’m afraid, therefore, that the entire discussion has to be about that one subject – namely, the firing of John Lombardi. Now, I’m aware that you say that John Lombardi was not fired, but Catherine Lombardi says he was and I think that’s dispositive on that question. If you truly want a genuine, open and productive dialogue with all the members of this University, you must start by reversing the covert and unannounced changes that you’ve foisted on the campus before we even became aware that a discussion was underway. Once that happens, we will talk with you.

Senator Enoch Page, Anthropology – I appreciate your apology, Mr. President. The reason why I’m here today is that a few minutes before the last Faculty Senate meeting, I got access to some emails that had your name on them, signed by you. Those emails had your general proposal that you’ve shared with the Faculty Senate, but also they mentioned something that you discussed at the Faculty Senate that you haven’t mentioned today and that is the idea that some other faculty members have actually put forward a proposal to fund stem cell research on this campus. The emails that I read that you had signed suggested that the initiative that’s going on now that began in an incorrect way as far as the faculty is concerned was really designed to foist upon the campus a reorganization that would facilitate making this campus the world center for stem cell research. I would really, really love to hear you talk about that in some detail because the comments you made about it at the Faculty Senate was just to announce that a proposal had been put forward and some funding had been made available, but obviously to me

there is a connection between the stem cell research project and the reorganization that you are proposing for this campus, if not for other campuses. While there may be money coming to this campus, even millions of dollars as a result of the reorganization that you are proposing, that would be great if it's the same university. But, if it's your plan to turn it into a life sciences university, that has tragic implications for many of us and I really want to know what you're thinking about that.

President Wilson – I'd be happy to address that. The discussion of the stem cell proposal which I mentioned, actually just a few minutes ago as well, I'm absolutely not proposing to turn this into a life sciences university. I was asked to give a number of examples of places where collaboration was helpful. That happened to be one of those examples, but there are many such examples. I could tell you another something that in a completely different area where collaboration has been enormously helpful. We have, in fact, worked together, all five campuses, on a program and got a Confucius Institute here and, in fact, were able to send a delegation from all of the campuses to China and came back with three hundred scholarships for students. It's another example of working together. We put together the programs which UMass Amherst has had with Germany with some other programs from the other campuses and we have put together a larger German program. We've put together another program in South Africa which includes delegations from all the campuses and Vice President Williams and I led a delegation over there and, at the same time, we had 26 students over there working with the Treatment Action Campaign and we had a group of nurses doing nursing and I don't mean to go on and on. I was just trying to say I was giving examples of places where, when we collaborate, when we work together, we're stronger.

Graduate Student – I would like to talk about academic freedom for a minute. As you are aware, the history of academic freedom was essentially that people could say whatever they wanted to as long as they could defend it and it was a sorry history in the past of Galileo, Copernicus and so forth; people during the Inquisition burned at the stakes and so forth, so the principal academic freedom started in the early part of the last century that in the academy, it was the citadel against the hoard, it was the citadel where you could say whatever you wanted to as long as it was defensible and that there would be civil rules of defending these principals that mob veto and hecklers veto had no place for it. So the question I ask of you is when will academic freedom be applied to this institution? We have a picketing code. I have never seen it enforced. That was the first time I've ever seen the picketing code enforced. There is a state law that states that it is a criminal offense, Chapter 272, Section 40, with a month's imprisonment for intentionally disrupting a public assembly and, yet as I walk in here, I get handed a piece of paper by people who unlike myself are on the University payroll in most cases stating that they intend to "chant, shake noisemakers on the internet, on the official Graduate Senate web site. There are proposals that they are going to do even more and so the question that I have for you, sir, is that you can talk about the "zoo-mass" image and so forth, the concern I have is that if there is an intent to eliminate the "zoo-mass" image, restoring the rule of law to this institution is important. Restoring the concept of academic freedom in that if you say something totally off the wall as long as you can defend it. Basically, the question I have for you, sir, is when will the concept of academic freedom and the rule of law be applied to this campus?

President Wilson – I'm a great supporter of academic freedom and as part of that academic freedom, we do have the ability, but we want to do it civilly. The good news is, most of my experience on this campus has been actually we do a pretty good job of it. This assembly, I know how angry people are and people come. It's a community of reason. I received the student demonstrators who came into my office yesterday. I brought them up and we sat in the conference room and talked. They did a terrific job. You applauded them here today and so I think, we have to be a community of laws and also a community of discourse.

Lydia Powers, Radical Student Union – We've made you an award to sort of acknowledge the excellence in political maneuvering you've done for the past year and it's a coup of the year, Jack Wilson.

Professor Michael Thelwell, Afro-American Studies – I have a document by some senior concerned faculty, an open letter, which we promised to deliver to you in person while you are here. My reason for getting up is not that. First, I wanted to congratulate you, sir, on your willing to communicate with this community and to be here twice in the last week, which is quite extraordinary, and we appreciate it. I also wish to congratulate you on the excellence of the cooperative projects between the five campuses which you have been describing and, as I listen to you describe how efficient and effective they were, I wondered why that was an argument to change the current arrangement to make this cooperation even more so. It seems to me that the President's job is to ensure this kind

of coordination, cooperation and you seem to be doing it. My question is not in fact a question, sir, it's a reminder. I need to remind you that you have to address the question posted by my colleague, Mr. Robert Paul Wolff, the first question of the day.

President Wilson – The question that was put to me at that time is “why is this needed, what is wrong?” (From the audience – No – his name is Lombardi.) Oh, the first question here. Professor Thelwell sent me an email last night with the other question in it and asked me to address that and I just assumed that he was referring to that question in that email. I'm sorry. I didn't understand that. I understand the question, but I am bound by the work that John Lombardi and I did and the discussion that we did, that to say exactly what I have said and I don't feel that I'm able to go any further than that as to say that we mutually agreed to move forward in a year of discussion, to understand if there was a better way for the flagship to govern itself and to engage the entire community in that discussion, to put a task force together to do that, and to have John and I work on that together. And, that is the way it is and I understand that the question about mutuality means that we both felt that this was the case. Other people have other things to say about it. What I would suggest is that I can't speak for Chancellor Lombardi and I'll let him speak for himself, whatever he would like to say about it, I have the utmost respect for him.

Professor Vince Rotello, Chemistry – This reorganization plan that's on the table, I want to bring this back out. It's a very beautiful vision that we share resources and I think that that's a great thing, but another thing is distribution of resources and the problem that I see is that having you as both president and chancellor or somebody as president and chancellor creates an automatic conflict of interest. What I see that doing is I see that either causing more resources to flow from this campus to the other campuses, to avoid that appearance of conflict of interest or dissatisfaction on the parts of the other campuses. So, what is your way around that conundrum?

President Wilson – Well, I think first of all, that is exactly the kind of question we want to put on the table and answer as a community, not me as a president. I know that it could be almost impossible for me to convince anybody of this now; I recognize where we are, but the fact is I wanted to engage this community in a dialogue to answer those kinds of questions and I wanted to take me off the table in terms of that which is why I made the pledge I wouldn't stand for a search for a combined president and chancellor. This has been suggested by many people over the years. It's been tried over the years. It was lamented when it was changed into a separate model and the President's Office went in there. Now what we know is that there are some campuses that do this and it could potentially be managed. I'm not advocating it. I really am not advocating it. I'm advocating that we put these kinds of things that have spoken for a long time on the table and let you decide and, if you decide that that model isn't going to work, I've already said it's not going to work for me because I'm not going to be in it, then let's talk about another model. But, we focus on that and the status quo and there are many other things in between that we could do which could enhance that collaboration, just as we have, as you've suggested, we, in fact, did with some of the examples I gave.

Senator Richard Bogartz, Psychology – I think you've made a tremendous mistake. I think it's possible for you to back off on that mistake. I think it's possible, even now, late in the game, to reverse this decision concerning our Chancellor which you've decided to remove without consulting us at all. We have ways of expressing our lack of confidence in administration officials and, if we were concerned about the Chancellor, we would have let you know and we would have let him know, just as we would let you know concerning our confidence or lack of confidence in you. It's a mistake. You've made a mistake, but people make mistakes. It's OK to say I've made a mistake and back off.

Professor Jerri Husch, Sociology – I'm a visiting sociologist from the UN where I've been involved with UN reform and organizational change, so I appreciate the complexity of the issues that you face and I'm standing here actually to ask you a question, perhaps not as personal as how to apologize for a mistake, but more in the sense of tactics and strategies. From what I see, I think you've clearly lost the confidence of your faculty and I think trust is absolutely inherent in an organization if it's going to go through some very difficult changes and, from what I heard and I appreciate your apology, I think is a recognition that there was a decision that was probably not well founded. But I think the question that many of us hold is what will you do next? What I heard was a very broad vision. I think people are very tired of very broad visions. I think it's clear that the way in which transparency and accountability were dealt with was rather ignored and what I think many of us, or at least I would like to know, is far more clearly, how do you see the task force functioning, what is the timeline, what are the clear

indicators, typical organizational stuff? Most importantly, what are the roles of all the stakeholders, all the way from the Governor as well as the students who are graduating?

President Wilson – That’s a very good question. That’s an outstanding question because that’s exactly right and kind of working back, one of the things you’ve recognized is there are many stakeholders in this and they all have to be involved and they may have different opinions. I come out of the faculty and so I tend to look there first. It’s true, but there are also alumni, there are students, there are the legislators, and so on. So, all of those constituencies have to be involved in the task force. So, getting back to the first part of your question on how do I see it operating, first of all, it has to have all those constituencies. Secondly, I recognize that trust only could occur if the constituencies themselves put forward the individuals that are going to be serving, not that they be selected by me or by the Board of Trustees. We have to ask the constituency to step forward to fill those positions. I believe that an organization should have a role in defining its own path forward, but to give them some guidelines in how to do it. In terms of how they organize their meetings, I think that you charge the group and allow them to organize themselves in whatever fashion they feel they need to organize themselves to be successful. I believe it needs a chair that has experience in higher education that is not presently associated with any of the constituencies that are presently here because otherwise that chair will be seen as leaning one way or another. The timeline I see is that, if there is a call from here, I think we can put that together over the coming months and it really would begin to work at once. Meetings can be organized when people are available. It’s sometimes hard to do that in the summer, but some organizational work might go forward. Most of the work is going to be done next fall.

Senator Roland Chilton, Sociology – I know you have not answered this question twice, but I want to ask it again to give you a chance to be straight with us. Have you carried out a careful and systematic review of the performance of the Chancellor of this campus that provides any reason to conclude that he’s doing anything less than an outstanding job administering this campus and, if so, why has the review, if it exists, been kept secret and, if you have not carried out such a review, why do you keep referring to the fact that, if the campus rejects your co-chancellor plan, you will simply get rid of the Chancellor at the next Trustee meeting? I really would like an honest answer to this, not this talk about violating confidences.

President Wilson – I appreciate your question, but I have to answer it honestly and say that I am not able to talk about some personnel issues. That’s an honest answer. It’s just the way it is. You have asked some parts of that question that I can answer. Has there been systematic evaluations of the Chancellor? Yes, indeed, there have been systematic evaluations of the Chancellor. They are internal evaluations that are done of every chancellor, every three years. There is a formal evaluation that also involves external consultants who are, in this particular case, sitting presidents of Penn State and the University of Maryland, and so these reviews are regularly done, but I only talk about personnel actions under the advice of the University’s general counsel and state law requires me to do that.

Professor David Ostendorf, Civil and Environmental Engineering and Past Chair of the Research Council – I’ll give you an unsystematic assessment of the Chancellor from my perspective, if it informs the room. As a Research Council person, I don’t get into forums like this much. I don’t talk well in public settings perhaps, but I will say that there isn’t anybody on campus who can’t look around at some of the fruits of what the Chancellor has done with cooperation from the system to be sure. Dorms going up in a jaw-dropping eighteen months which astonishes certainly all of us, a power plant rising and, anyone who’s an old hand, knows the intricacies of that kind of construction and all these other things going on. This was his first initiative. He was very careful about what he decided to take on, capital and building campaigns were two of those initiatives. The capital campaign, we can’t be sure of how that’s going to turn out now, but nonetheless those were his areas where he tried to do things and he advocated fiercely for those. He picked his fights as you have to know and he had to be very effective in getting, from our perspective anyway, from a parochial perspective, but that’s the perspective we will always have; it’s the perspective that’s made us effective and that’s delivered us the flagship status of this campus. Structures don’t mean much without the integrity and the abilities of the people who are in them. All I can see is, from the past week, we’ve now apparently lost our Chancellor and we have alienated the most effective voice we ever had in the legislature. I never saw a performance like I saw last Thursday at the Faculty Senate. I think that’s fair to say and I don’t think either of those actions advanced the campus here and advanced the system either, to be frank.

President Wilson – If I could just say one comment. I think that, in fact, the buildings are examples of that kind of teamwork and collaboration. They were built by the UMass Building Authority, an arm of the President’s Office. That was the first thing that I reorganized and recruited all new staff. There was not a single person working there that was working there when I became President and they were the first dorms built and John Lombardi was a very effective advocate for them and the UMass Building Authority, I think, did a very effective job of building five dorms in one year. It’s an example of the teamwork that will allow us to be successful. I couldn’t agree more that that’s the plan.

Senator Robert Levin, Food Sciences – It’s clear that you have a grand vision of the University system, but I think that there are certain realities that really have to be dealt with and addressed. What I am referring to in particular is the fact that at least one campus in this system has a reputation for being extremely aggressive, intimately piped in to the political process of the state to a far greater extent than this campus here. I’m talking, for example, and I could give you an entire list of improprieties that have taken place over the years, such as end runs to Senator Kennedy’s Office resulting in personnel in Kennedy’s Office calling this campus, individuals, and asking if we would be willing to hand over large portions of our research funds directly to this other campus, the point being that this is an extremely dysfunctional university system where certain of the campuses, and I’m thinking particularly of one, have repeatedly undercut and interfered with the normal academic and research processes of faculty on this campus. My question, with that background here, is to what extent is the President’s Office in the future willing to come out in an extremely strong manner and indicate to all the campuses that never again will any campus or individual in this University system be allowed to undercut or damage the operation and systems of any of the other campuses?

President Wilson – I can tell you that I will do everything in my power and have done everything in my power and, when you have a situation like that, many people in this room know I answer my email, but you could bring that to my attention and I will act if such a thing is happening. I’m not aware of that particular situation where Senator Kennedy called and asked for transfer of research funding. That, you know, I certainly have the ability to call Senator Kennedy back and set that straight if I know what it is and what’s going on.

Professor Levin – Well, I’m referring to an incident in the past, so that’s behind us.

President Wilson – Absolutely, I agree with you. This is the opportunity, I felt, to put those kinds of issues (interrupted by Professor Levin)

Professor Levin – What I’m really referring to is that there be a change in climate where these other campuses obtain the clear message from the President’s Office that such improper intrusions will simply no longer be tolerated.

President Wilson – I will give that clear message, I have given that clear message and that’s why I say if you know of deviation from that message, then I need to know about it.

Ernest May, Secretary of the Faculty Senate – I would just like to have faculty refer to three handouts – one is the transcript from the Faculty Senate meeting of last week, especially page 6, then the second one is President Wilson’s Vision of One University, the plan that is not a plan, presented at the meeting that is not a meeting and the final one is the description of the Massachusetts Open Meeting Law and also some excerpts from the Wellman document.

So, President Wilson, you are indeed a talented speaker, in fact, you are an artist. To quote a couple of things you told us to say, but you told us last week when referenced to Trustee Leiblum’s question about that meeting on May 3, you said that that was a dinner discussion. There were no decisions taken. (President Wilson – That’s correct.) What we are proposing to the Board of Trustees isn’t a plan, it’s a process, a process to develop a plan. (President Wilson – And I’ve described this process today.) And you looked us in the eye and you said there is no plan. Well, to us, what leaked out a couple days later, a Vision for One University, sounds like a plan to me and it looks like a plan and, when I read your job description in the Wellman document, the responsibilities are of the president in concert with the chancellors will ensure that all appropriate components of the university have the opportunity to make recommendations prior to the establishment of policy and, a little earlier in that, in terms of the president’s

responsibility – to ensure that all appropriate components of the university have the opportunity to make recommendations before planning and development decisions are rendered. When it comes to the Massachusetts Open Meeting Law, the basic idea is that dinner meetings, #3, says the Law does not apply to “chance” or “social” meetings of a governmental body or members of the body at which matters relating to official business are discussed, so long as no final decision on such business is reached. (President Wilson – So as long as no final decisions are reached) However, such meetings cannot be used to circumvent the letter and spirit of the Law. Example: Two days after a so-called chance or social meeting at which members of a school committee discussed the closing of a school, the school committee convened in an open meeting and without discussion ratified a determination about the closing that had been reached at the earlier “chance” meeting. The facts suggest that the chance or social meeting may have been used to circumvent the requirements of the Law. If the meeting was totally theoretical, as you said a think piece, you would be on the right side of the Open Meeting Law. However, we noticed that a number of personnel decisions, chancellors, etc. vice presidents, have been taken which seems to me to be pretty much a realization of this and then there are planning things going forward having to do with admissions, having to do with development which are in sync with this One University Vision and so it seems to me that you are executing, in fact, you are executing the plan and then you are convening the Commission to study, so that the implementation precedes the study. That is not according to what you’re supposed to do, in respect to your job description in the Wellman document, the state Open Meeting Law or AAUP policies and that is a problem and that is really a question of trust so that your talent in telling us things is superb; your actions, however, are the only things which I will believe.

President Wilson – There are a couple of things. At the Medical School, for instance, was in discussion long before this and there was absolutely no discussion of any of those three issues that you put on the table at that meeting. First of all, Trustee meetings or Trustee dinners are called by the Trustees. Before the Chair called that dinner for discussions, he checked with the University general counsel. The University general counsel rendered an opinion that, since there would be no deliberation and no decisions, that that was, in fact, legal, but, of course, you could ask for an opinion from the Attorney General and I certainly respect the opinion that the Attorney General would render on that and we will re-double our efforts to make sure that even the appearance of a conflict is a problem. The plan is not a plan. If it is a plan, it would be a Trustee document. The discussion in there is talking about activities underway. If an activity is underway, it is subject to a proposal which was discussed in front of you at CASA, for example, or the Development Council and then turned into a Trustee document that are numbered and put in the policy book. Many of the things you’ve suggested in there were discussed through Trustee meetings, went through the Committees, were discussed, posted meetings and were adopted. Some things in there are think pieces and they have not been implemented. The constituent relationship management is, in fact, something that the Trustee Development Committee did, in fact, and several of the other things in there are things that Trustees had enacted already.

Marisha Leiblum, Student Trustee – I’m the current student Trustee representing this campus on the Board and I was at the “dinner” on May 3 where these issues were, in fact, deliberated. I know Ernie (May) read a certain section of the Open Meeting Law. I’d like to read another section which says that “thus, if a simple exchange of views by a simple majority of the members of the Board on a public issue, then the Board must comply with the requirements of the law.” And, there was much more than a simple exchange of views by much more than a simple majority of members at that dinner on May 3. I’d like to say the Trustees spoke extensively about the admission systems and what it would look like to have a unified admission system. Unfortunately, the Trustees probably spent about 25% of the time debating what a unified athletics system would look like. I think, particularly Trustee Carlin and several others, seemed to be very caught up on whether or not there would be one football team or several football teams. And the message that you gave and the message that Chairman Tocco gave, and I will note that it was only Trustees and yourself, none of the Chancellors were there, no faculty were there, of course, no members of the public were there, the message that you and Tocco repeatedly gave was that, if any Trustees had any issues with anything being put forth in this plan, now was the time to voice it. And, this same sentiment was presented to us at another “dinner” that took place before the last main Board meeting that was held at the Medical School where the Trustees were considering your contract, the extension of your three-year contract with your 10% bonus package and the same message was given. The doors were closed, there were just Trustees in the rooms, we discussed your bonus package and, again, we were told, if there were any concerns, vet them now over this “dinner,” don’t raise them at the Board meeting the next day. So, I just want to again push back and challenge this message of truth that you are presenting to us here today. Thank you.

President Wilson – I come back to the point which is there was a discussion of admission, there was a discussion of football, there were no decisions taken on that whatsoever, there was no discussion of these issues. If you have evidence that there was some breaking of the law, please come forward and go to the Attorney General and put that on the Attorney General’s table. I encourage you to do that. (Ernest May – we do and we will.) You know, I’m not an attorney and, in fact, I don’t call Trustee meetings nor do I conduct Trustee meetings. All I do is attend.

Presiding Officer Robert Wilson stated that we will now go to the business section of the meeting. There are four motions which have been predetermined who will read these motions. Each one of the motions will require a second. If there is no second on them, we will not have any discussion on that motion.

MOVED: That the Faculty and Librarians of the University of Massachusetts Amherst express lack of confidence in the recent actions of the Board of Trustees – including the failure to consult faculty and other university constituencies in developing the Vision for One University plan, and in developing this plan in private meetings in apparent violation of the spirit and letter of AAUP documents, Trustee governance documents, and Massachusetts Open Meeting Law – and call upon Governor Patrick to appoint an independent commission that would include members of the faculty to investigate the recent actions of the Board of Trustees and make recommendations that would improve the system and raise the stature of the Amherst campus as a nationally-recognized flagship.

Senator Bogartz moved to amend the motion so that it reads, in the second line, “in the recent actions of the Board of Trustees and of President Wilson, specifically his removal of Chancellor Lombardi” and, in the third from the final line “to investigate the recent actions of the Board of Trustees and the President.”

Senator Enoch Page – Since we lack evidence that President Wilson forced Chancellor Lombardi to be removed, should not the motion be worded to refer to this proposal coercing him to resign instead? It might be a better idea because we’re calling for an investigation and, if we ask for an investigation about him being fired and then that wasn’t the case, then we’ve lost the point. So my friendly amendment would be to change the language to suggest that he was coerced into resigning.

Presiding Officer Wilson – I think, at this point, it probably would be easier procedurally to discuss this motion and vote on it and then, if there are others that differ or vary, take those up.

The motion to amend was seconded and adopted, 179 in favor, 31 against.

Max Page, President of the Massachusetts Society of Professors – As I said in an email message to all of the MSP members today, we live in very interesting times and disturbing times and I think that so many people are here is very significant and a positive sign. I just wanted to give a brief background. I know we’re already in the middle of a debate about this, but this is kind of an unprecedented or nearly unprecedented thing which happened. The Faculty Senate Rules Committee invited, in the hope of gaining a unity of the faculty, the Executive Committee of the MSP to discuss and offer up for debate sort of a unified set of proposals. I would just like to note that we were unified and put out these resolutions yesterday. What happened between yesterday and today is that there was going to be a Board of Trustees task force and now there is going to be a Governor’s appointed task force. That is because it was very clear that the faculty wanted an independent board to examine what happened and also to advance new proposals. I think that is a very significant thing and we should be pleased about what the unity did for that. As this debate goes forward, I wanted to say two principles that were in my mind and I think in the minds of the others in the room as we sort of talk over what resolutions to offer up. There are two, simple and profound principles. One is that faculty and librarians on this campus deserve, are entitled to and demand the right to be included in the decisions that shape the University. That has absolutely not happened recently and your presence here, the hundreds of people here, makes it clear that that will not stand. I agree with what Mishy was saying that whether or not the letter of the law was violated, certainly the spirit of it was and, I think, one of the things we have to insist on, not just today but going forward at the next Board of Trustees’ meeting, is that the faculty and librarians, governance of the University, demand to be consulted and involved in this. That has to be the first principle. The second principle is that whatever resolutions and demands and actions that we demand today

should be directed at improving the University. That is that they help to create what the Commonwealth deserves which is the top-ranked public research University we've all been trying to build. So this is an opportunity. My urging, and I think we've just defeated this amendment, was not actually to focus on people we love or people we hate, but rather on the process that it include all the constituencies, especially the faculty and librarians who are here, but also be focused on those actions that will improve the University. I think this first one is significant to get an independent commission that can look at what steps to take to create the University we have all believed in. So, believe it or not, this is an opportunity, but I would urge that we focus on those issues and not get into the passionate debate people have whether they are in favor of one person or against another. Let's focus on governance and the advancement of the University.

Joseph Larson, Professor Emeritus and Former Secretary of the Faculty Senate – I urge passage of Motion GF 01-07 because the President's Office and Trustees have a record of ignoring their own governance policy documents and may well simply dismiss them in a motion to adopt President Wilson's plan. Does this mean that the President's Office and Trustees do not care about faculty views? On the surface, it might seem that way, but behind the scenes, they get so angry when faculty raise questions, they find ways to retaliate again those who speak out. When the President's Office was in the process of establishing the Intercampus Graduate School of Marine Science and Technology, the Faculty Senate repeatedly pointed out that the structure being proposed contravened the oversight provisions of formal Trustee policy on creation of new academic programs. In response, the staff in the President's Office unilaterally crafted a motion for the Trustees that set aside all prior Trustee policies as a means of avoiding further faculty input into the design of the program. It was my job as Secretary of the Faculty Senate to present a statement of concern from the Senate to a meeting of the Trustees' subcommittee in Boston. Within a few hours of my presentation, a representative of the President's Office made a telephone call to one of the cooperators in a federal contract that I had secured from the U.S. Department of Energy. My cooperator responded to my staff that the purpose of the call was to interfere with our relationship with the federal agency. It is my understanding that retaliation is still being brought to bear by persons in the President's Office on those who are now publicly speaking out on these current matters. It's important to pass this motion so we can see if the current Trustees will honor the governance policies. Should they act as they have acted in the past, the faculty should reserve the option to request the American Association of University Professors to conduct an investigation to determine if the Trustees have violated widely-accepted AAUP policies on academic governance.

Professor Thelwell – I have taught at this institution for a number of years, in fact, all of my adult life and I can remember the occasions when I felt proud to be a member of this community. Because of the behavior of the faculty and community here in the eleven days since we discovered the removal of Chancellor Lombardi, I believe the faculty and community here have captured a measure of respect from the President's Office, or if not the measure of respect for the faculty and community, at least a measure of respect for our nuisance value. I think that that has to be continued and raised. There is an excellent piece in today's Boston Globe, surprisingly so, which captures in very clear, unambiguous, unobscured terms the nature of the crude political takeover of the Board of Trustees which is reflected in their lack of respect for the community they are expected to serve and, as members of the faculty, I know that our experience is a common one. That is to say you work for an institution and in support of values which you are very clear on and find that the institution and the job you are there to do are constantly at the mercy of people who don't understand what it is you are supposed to be doing, who don't share the values of that profession and whose interests lie elsewhere. The takeover by the Board of Trustees, I think, is reflected in their actions. I don't have cases to present to you, but there is a continuous process that I have been observing and it seems to me that therefore the most important step you can make in this case is to capture the respect of the Board of Trustees by making it be known publicly that this faculty has no confidence in the way they have been proceeding. There is a new administration in the Commonwealth. There is the opportunity for new appointments of a Board of Trustees, but I think a very clear message and signal have to be sent from this gathering that the operations of that Board have to be reciprocal and in accordance to the rules of governance, and fairness and decency that an institution of higher learning is supposed to represent. So I urge everybody here to vote unanimously for this motion to express no confidence in the activities and the posture of the Board of Trustees as is presently constituted.

Professor Rotello – I fully understand the gravity of these proceedings, but what I notice is that faculty are evaporating and I will have to leave fairly soon to pick up my son. What I would like to do is either shorten the talks or move to vote. I would like to call the question.

Presiding Officer Wilson – There’s been a motion to move the previous question. There needs to be a second on that. There is no debate allowed on it, but it requires a two-thirds vote. It looks like there is more than two-thirds, but now I will ask the people who are opposed to calling the question to stand. The motion to move the previous question passes. We are required to cut off additional debate on this motion and now go to the vote on the motion. 214 in favor, 1 against.

MOVED: That the Faculty and Librarians of the University of Massachusetts Amherst express lack of
GF 01-07 confidence in the recent actions of the Board of Trustees and of President Wilson, specifically his
(as amended) removal of Chancellor Lombardi – including the failure to consult faculty and other university constituencies in developing the Vision for One University plan, and in developing this plan in private meetings in apparent violation of the spirit and letter of AAUP documents, Trustee governance documents, and Massachusetts Open Meeting Law – and call upon Governor Patrick to appoint an independent commission that would include members of the faculty to investigate the recent actions of the Board of Trustees and the President and make recommendations that would improve the system and raise the stature of the Amherst campus as a nationally-recognized flagship.

The motion was seconded and adopted as amended.

MOVED: That the Faculty and Librarians of the University of Massachusetts Amherst insist that the Board
GF 02-07 of Trustees take no action at its June 21, 2007 meeting on announced and unannounced but planned changes for the Amherst campus, including but not limited to changes in campus leadership; centralized admissions; and centralized fundraising.

This motion was seconded and adopted.

MOVED: That the Faculty and Librarians of the University of Massachusetts Amherst insist that any and
GF 03-07 all reorganization plans and appointments of Presidents and Chancellors strictly adhere to the spirit and letter of established governance documents of the Board of Trustees, requiring the full participation of faculty and other constituencies in all such planning processes and decisions, evaluations and searches.

This motion was seconded and adopted.

MOVED: That the Faculty and Librarians of the University of Massachusetts Amherst will reconvene this
GF 04-07 General Faculty Meeting not later than June 22, 2007 or another day within a week following the meeting of the Board of Trustees in Amherst (on June 21, 2007), with the final date to be set by the Secretary of the Faculty Senate in consultation with the Rules Committee and the Executive Board of the Massachusetts Society of Professors.

This motion was seconded and adopted.

The General Faculty Meeting stood adjourned at 5:04 p.m. on May 24, 2007.

The proceedings of this meeting are available on audiotape in the Faculty Senate Office.

Respectfully submitted,

Ernest D. May
Secretary of the Faculty Senate