

OMA Testimony

The Situation

The modern university is one of the most complex organizations...
...as well as one of the most important...in our society.
For example, the U of M, with a budget of over \$2.5 B,
a population (students, faculty, and staff) over 70,000,
would rank roughly 200th on the Fortune 500 list.
It affects the lives of a great many people...in a great many ways
...over 50,000 students
...over 1 million patients
...millions of people in this state through
economic development
social change
research (e.g., the cure for polio)

These institutions require the best in leadership...
Presidents who not only have the credentials
as experienced scholars and teachers,
but as well the capacity to serve as CEOs
of these complex organizations.

The search for such leaders generally draws from a
small pool of individuals already in important leadership
positions throughout the nation, since experience
and proven capacity to manage such vast
enterprises is essential.

Since most candidates are already in important positions,
they generally will agree to consider presidential
positions only if provided with absolute assurance
of the confidentiality of the search.

To attract the best leadership, essentially all universities,
public and private, conduct presidential searches
...and, indeed, all searches for senior leadership...
in the strictest of confidence.

Even in those states with strong sunshine laws,
Open Meetings Acts and Freedom of Information Acts,
university presidential searches are usually explicitly
exempted.

Only in Florida, Colorado, and now in Michigan, have
the courts extended sunshine laws to presidential
searches...with devastating consequences.

What is the problem?

Of course, the media howls that these are public institutions,
and therefore the public should be involved in the
selection of their leadership.

First, these universities are indeed public
...even though only 10% of the support of UM comes
from state taxpayer dollars

But a university presidency is NOT an elected public position.

It is a position that requires the utmost in
...credibility and experience with teaching and research
...strong skills as a leader and manager
...the utmost in integrity and academic values

While political and public relations skills are useful,
they do not...at least should not...drive the search.

It is in the public interest to get the best possible leadership
for these important institutions.

A Personal Statement

During my years as vice-president and president of UM,
I have been involved in a great many presidential
searches. Indeed, essentially every presidential
search for a major university in America usually
begins by contacting Michigan, since we have provided
presidents for over 20 universities in the past couple
of decades.

At any point in time, there is a short list...perhaps a few
dozen at most, of individuals with the proven capacity

to lead a major American university.

All of these individuals are already in important leadership positions...as presidents of smaller universities, or as deans or vice-presidents of major universities.

None of these individuals would ever allow themselves to be compromised by a public search...and all have turned down approaches by those unfortunate institutions condemned to public search processes.

The consequences of public disclosure are simply too severe ...undermining their current leadership roles ...or perhaps, as in the tragic case of the MSU search, jeopardizing them.

Let me say this once again:

There is absolutely no way that I...or any of my colleague presidents at major universities across this nation... would ever participate in a search that was public.

The present situation

Looking back over the past presidents of the UM

...Harlan Hatcher, Robin Fleming, Harold Shapiro

...none of these would have participated in a public search

Unfortunately, the privacy search which selected me as the 11th president of the University was seriously compromised.

Through what I believe was a very damaging decision by a local judge, all of the written materials associated with that search were released to the press, and the

commitments of confidentiality that were made to hundreds of potential candidates and references were broken.

The University was not only seriously embarrassed, but its capacity to conduct future searches has been seriously compromised.

Indeed, at the present time, I believe it is quite impossible for the University of Michigan to conduct a presidential search capable of considering any but internal

candidates.

No external candidate--at least those with the capabilities to lead a major university--would get near a UM search under the present OMA constraints.

What is really going on?

The press has become lazy and irresponsible.

They sell papers based on the gossip-style intrigue surrounding a presidential search.

Michigan's OMA provides them with a crowbar to pry into the delicate process of presidential searches.

But their interest goes far beyond publishing titillating gossip...

We also see a phenomena of late in which the press clearly wants to become king-maker, to influence the search for these leadership position.

There is little evidence that the press has had a positive impact on the quality of our elected leadership.

Do we really want them to destroy the quality of university leadership as well?

It is similar, in fact, to the way that the press has distorted intercollegiate athletics.

At some point, folks, we have to decide whether we are going to allow the press to run our universities..just as they run our sports programs.

That is the real agenda of the media
...and that is the bottom line here...