

Our community has witnessed an illuminating public debate about academic integrity and its necessary conditions of transparency and openness. As with many debates, information is often limited. We would like to offer our concerns, observations and opinions to enhance the dialogue.

One concern is the status of the Director of KU's Center for Applied Economics (CAE), Dr. Art Hall. Although he is a skilled and productive civil servant, he is not a rank-and-file faculty member. Given his administrative role, is it even possible that Director Hall is not an administrator?

Dr. Hall's Position Description (PD) seems clear. His title: "Director of Center for Applied Economics" is that of an administrator. His PD points out clearly that $\frac{3}{4}$ of his duties are consistent with those of an administrator, with no mention of teaching at all. His reporting line is not to the Chair of a given unit as would be the case for most rank-and-file faculty members, but directly to "the Associate Dean for Academic Affairs," which also indicates that he is an... Administrator. His appointment form specifically states that he "serve at the pleasure" of a superior administrator as is normal for a Center-level... Administrator.

The reason why it is so important to understand the appointment of Director Hall is the degree to which his records and communications should be open for public inspection. His assertion that his "Academic Freedom" would somehow be violated if KU complied with the Sunshine Law request for his communiqués seems specious as the American Association of University Professors (AAUP) has no statement at any level which protects professional communications between an Administrator and a funding authority.

Another issue surfaces related to the independence of Centers at public universities. As the students have so famously done, one cannot help but ask: Is it proper for a private group to be instrumental in setting up and controlling a center on the KU campus? In this instance did they sit on the selection committee, which then chose a Chief Economist from Koch Industries as its founding Executive Director? Is it proper for publications to come from this center, bearing a mark of impartiality and authority bestowed upon it by virtue of the fact that the center is part of a public university, especially if the Director that "serves at the pleasure" of the funders?

As Director Hall is wont to reference AAUP Statements, one seems more than a little germane here:

A conflict of interest may most easily be defined as a circumstance in which a person's primary interests and responsibilities (such as the responsibility to analyze research results as dispassionately as possible) may be compromised by a secondary interest. Identifying a conflict of interest does not entail an accusation of wrongdoing. Conflicts of interest have been shown to affect judgments unconsciously, so a conflict of interest refers to a factual circumstance wherein an impartial observer might reasonably infer that a conflict is present. Not all conflicts of interest are financial in nature, but financial conflicts of interest are not only the ones most easily managed but also the ones most likely to undermine public respect for, and trust in, higher education.

Given the structure and founding of the CAE, one must ask if it can ever be in compliance with the statement above. Such an intimate intermingling of private monies with a private agenda in a public institution seems to be about as wise as having Exxon-Mobile fund the "KU Center for the Study of Global Warming Benefits." We find this increasing level of encroachment of targeted private funding, operating with little oversight and no transparency on our public campuses to be most troubling.

That the CAE was ever funded and lead in the way that it was begs the question: where is the conflict of interest (COI) oversight? KU's COI committee is notorious for zealous enforcement. Just last week it asked a rank-and-file faculty member to step off a student's committee simply because the faculty member and student held stock in the same company. It now appears that KU maintains a double standard in COI oversight: If you are rank-and-file faculty, your interests will be x-rayed, turned upside down and inside out. If you're funded by million-dollar donors, you can do and hide whatever you want.

So given Director Hall's position, it is our opinion that it is not only the Upper Administration's prerogative to release the requested professional correspondence, but their duty to do so. We find it reprehensible for any junior administrator to sue not only the university, but also students to keep professional correspondence with funding agents' secret. The KSAAUP stands for principles and considered dialogue. Accordingly, in this case, we stand proudly with the Upper Administration and those brave students who dared speak truth to power.