

# RESPONDING TO A FACULTY VOTE OF "NO CONFIDENCE": THE COURAGE & CONVICTION OF TRUSTEE STEWARDSHIP

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President, Warren County Community College



# FIRST SOME QUESTIONS...

1. Are you in a right to work state or a closed shop state?

2. Do you have a union & a collective bargaining agreement?

3. Do you have shared governance at your institution?

4. Do you have a faculty senate?

5. Do the faculty have tenure?

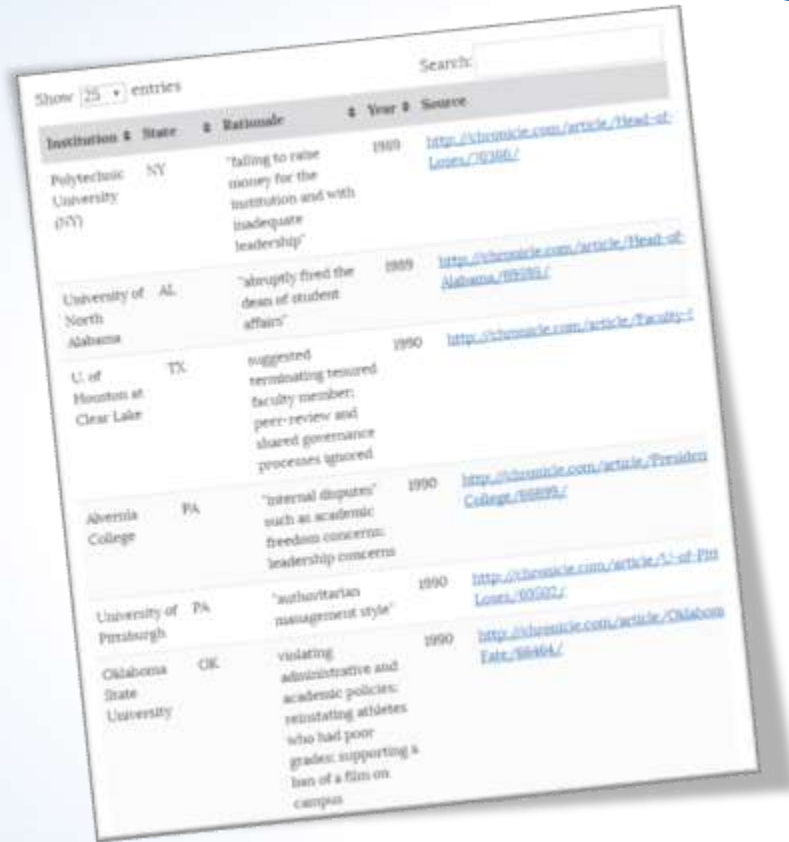
6. Are members of the BOT elected, appointed (and if appointed by whom)?

7. Where are you in your reaffirmation of accreditation process?



# NO-CONFIDENCE VOTE DATABASE

[www.seanmckinniss.org/no-confidence-vote-database/](http://www.seanmckinniss.org/no-confidence-vote-database/)



Institution	State	Rationale	Year	Source
Polytechnic University (NY)	NY	"failing to raise money for the institution and with inadequate leadership"	1989	<a href="http://chronicle.com/article/Heat-of-Lonza/30386/">http://chronicle.com/article/Heat-of-Lonza/30386/</a>
University of North Alabama	AL	"abruptly fired the dean of student affairs"	1989	<a href="http://chronicle.com/article/Heat-of-Alabama/30390/">http://chronicle.com/article/Heat-of-Alabama/30390/</a>
U. of Houston at Clear Lake	TX	suggested terminating tenured faculty member; peer-review and shared governance processes ignored	1990	<a href="http://chronicle.com/article/Faculty-2/">http://chronicle.com/article/Faculty-2/</a>
Alvernia College	PA	"internal disputes" such as academic freedom concerns; leadership concerns	1990	<a href="http://chronicle.com/article/President-College/30399/">http://chronicle.com/article/President-College/30399/</a>
University of Pittsburgh	PA	"authoritarian management style"	1990	<a href="http://chronicle.com/article/5-1-of-Pitt-Lonza/30392/">http://chronicle.com/article/5-1-of-Pitt-Lonza/30392/</a>
Oklahoma State University	OK	violating administrative and academic policies; reinstating athletes who had poor grades; supporting a ban of a film on campus	1990	<a href="http://chronicle.com/article/OMacon-Fate/30464/">http://chronicle.com/article/OMacon-Fate/30464/</a>

"I am a graduate of the PhD program in Higher Education and Student Affairs at The Ohio State University. My dissertation concerned shared governance and organizational mindfulness. My master's thesis featured case studies of votes of no confidence against college presidents. My other research interests include comparative education and business/higher education collaboration..."

This is my current database of no-confidence votes against college/university presidents."

Sean's database and research largely discounted community colleges as a labor issue.

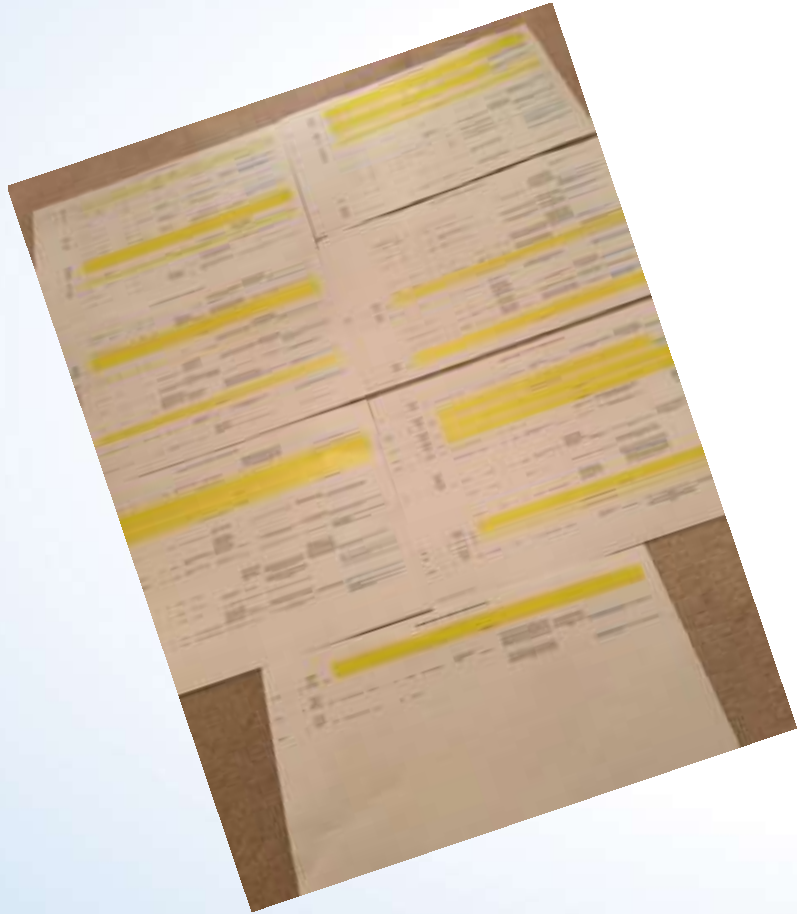
Data from the *Chronicle of Higher Education*, *Inside Higher Ed*, other popular publications, and web searches.





# NO-CONFIDENCE VOTE COMMUNITY COLLEGE DATABASE

For Now it is a Private 3-Person Database Under Construction



To understand and offer advice on the growing presidential no-confidence vote occurrences; we developed a database beginning in 2012 that attempts to explain part of the rise in community college turnover.

This database and statistics represent only on community colleges (from 2012-2016).



# THE NUCLEAR OPTION



# IN THE PAST FIVE YEARS...

## Explosion of No-Confidence Votes at Community Colleges

...faculties at more than a 57 community colleges (3.5%) have held **votes of no confidence**, a method of desperation that was once rarely employed.

...compared to 61 (2.4%) votes at the senior institutions.



Source: Austin-Young-Hill Private Database





# MOLLY CORBETT BROAD...

Former president of the University of North Carolina  
and the president of the American Council on Education

“All too frequently now, I’ve been receiving calls from presidents who are afraid they are about to be fired.” Some worry that they’ve lost the trust of their faculty, while others fear that they’ve disappointed their boards.”



# PRESIDENTIAL TRANSITIONS (CRISIS?)

## Leadership Transitions

Period	Total	First Time	Seasoned	Transitions due to Retirement (Approx.)
July 1, 2011 – June 30, 2012	134	78	56	Unknown
July 1, 2012 – June 30, 2013	158	101	57	7
July 1, 2013 – June 30, 2014	262	157	105	47
July 1, 2014 – June 30, 2015	269	154	115	96
July 1, 2015 – June 30, 2016	210	73	130	84
<b>TOTAL</b>	<b>1,033</b>	<b>563</b>	<b>463</b>	<b>234</b>

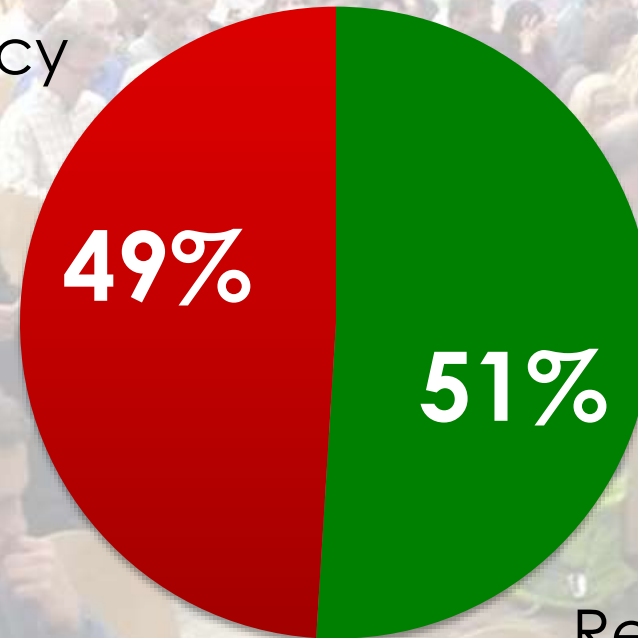
Source: AACCC CEO Walter Bumphus personal presentation to 2016 AACCC Presidents' Academy Summer Institute





# WILL I SURVIVE A NO-CONFIDENCE VOTE?: COMMUNITY COLLEGE SURVIVAL

**No:** Removed From or  
Chose to Leave  
Presidency



**Yes:**  
Remain President  
on Own Terms

Source: Private Database



# NO CONFIDENCE VOTES BY THE NUMBERS, ALL HIGHER EDUCATION INSTITUTIONS



**132** schools nationwide have held votes of no confidence in their academic presidents in the last 25 years.



Votes of no confidence have been held by 134 faculties or faculty senates in 41 states including District of Columbia and Bermuda.

**56** of these votes have occurred within the last five years, which is almost half of the total number of votes since the earliest reported in **1989**

SOURCE: NO-CONFIDENCE VOTE DATABASE SEANMCKINNISS.ORG

DESIGN: GRACE CLAUS

<http://theithacan.org/news/ic-votes-of-no-confidence-similar-to-actions-nationwide/>



# GENDER BREAKDOWN: WHO IS MORE LIKELY

No Confidence Votes



Source: Private Database



# ALTHOUGH MALES RECEIVE MORE “NO CONFIDENCE” VOTES DURING THE PAST FIVE YEARS, A QUALITATIVE CONTEXTUAL REVIEW DEMONSTRATES TWO FACTORS:



Media Coverage More Intense for Female Presidents



Accusations and Commentary Demonstrate Less Civility





No statistical difference in likeliness  
of “No Confidence” Vote for Gender.



*(p = .005) -- Two Population Proportions Test*

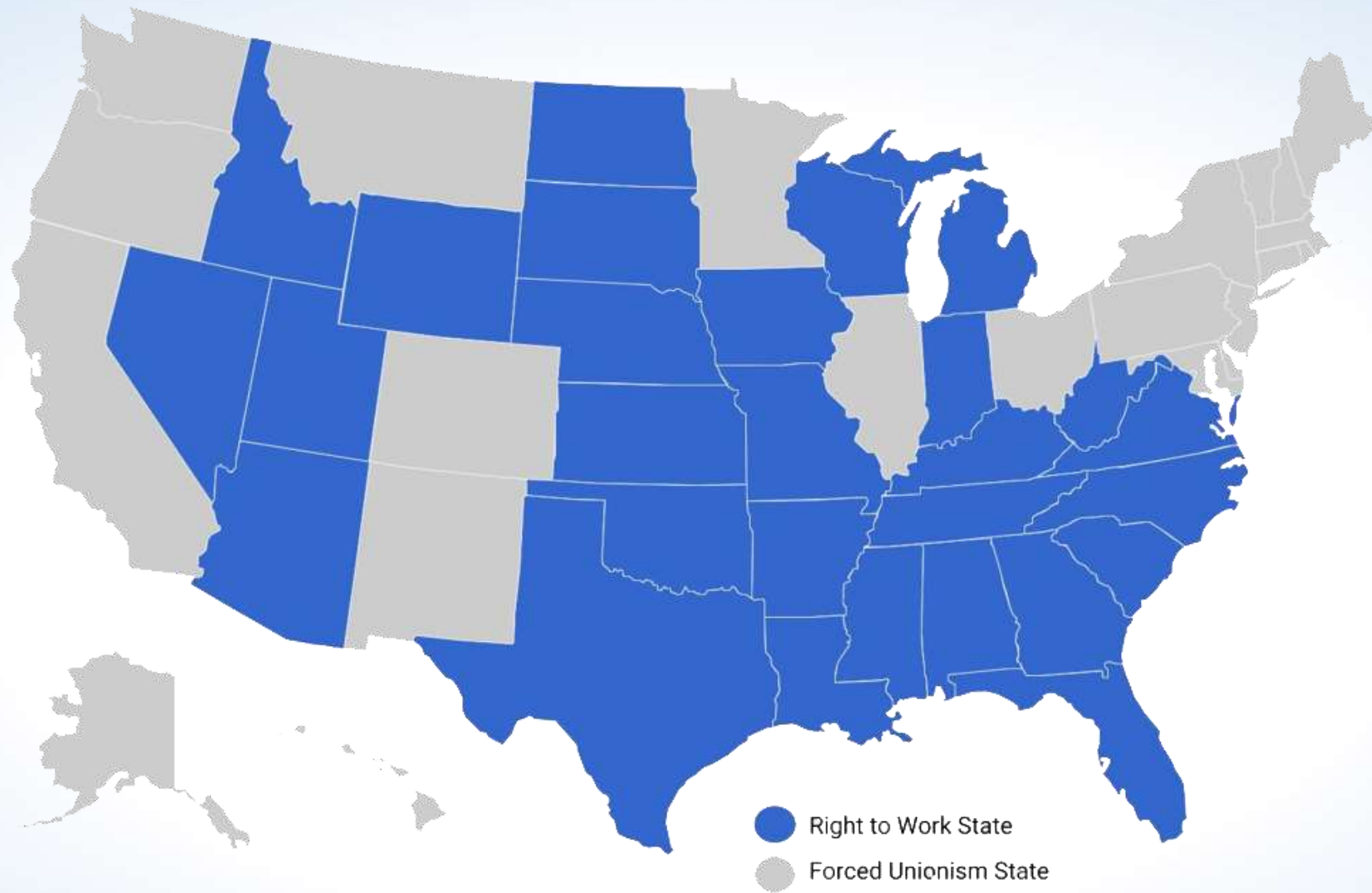


However, 99.5% Confident that the data provide sufficient evidence to conclude that a **male** who gets a vote of “no confidence” has a **higher percentage of survival** than a female who gets a vote of “no confidence” during the past 5 Years.



*(p = .005) -- Two Population Proportions Test*





<http://www.nrtw.org/right-to-work-states/>



## LIST OF RIGHT TO WORK STATES

A Right to Work law guarantees that no person can be compelled, as a condition of employment, to join or not to join, nor to pay dues to a labor union.

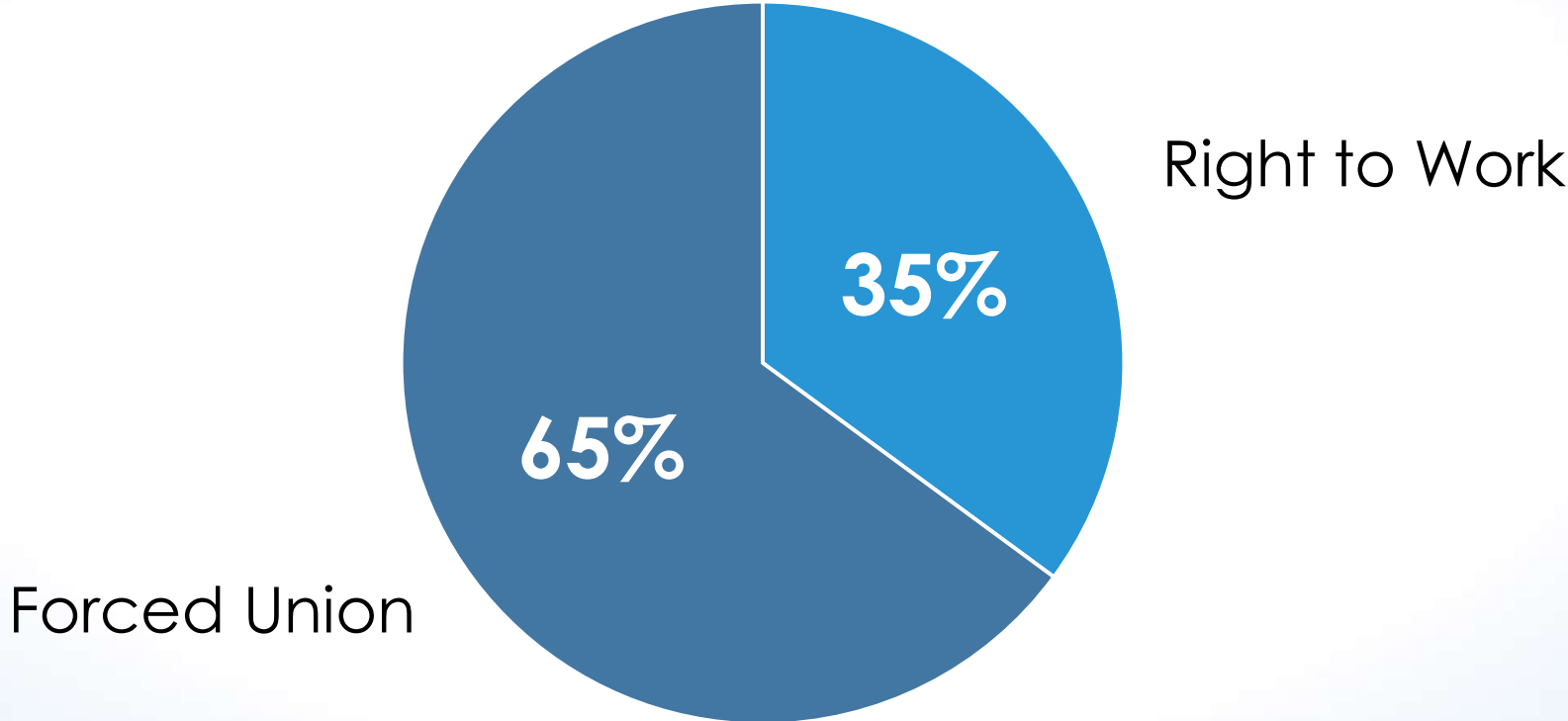
Section 14(b) of the Taft-Hartley Act affirms the right of states to enact Right to Work laws. The 26 states which have passed Right to Work laws are:

Alabama, Arizona, Arkansas, Kansas, Florida, Georgia, Idaho, Indiana, Iowa, Louisiana, Michigan, Mississippi, Nebraska, Nevada, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin, and Wyoming.





# DOES MY STATE MATTER?: LABOR RELATIONS



Source: Private Database



# FREQUENCY BY STATE

States with more than 1 “No Confidence” vote in past 5 years

Arizona

Massachusetts

New York

California

Michigan

Ohio

Florida

Minnesota

Tennessee

Illinois

Missouri

Kansas

New Jersey

Texas



# SOME OF THE MOST ADMIRABLE (PARTIAL LIST)

Some of our Most Admired & Celebrated CC Presidents Enjoy  
No Confidence Votes or AAUP Sanctions on their CV



**Dan Phelan**  
(AACC Board Chair -  
2017) – Mich



**Ken Atwater**  
(AACC Board Chair -  
2015) – FL



**Jerry Sue Thorton**  
(AACC Leadership  
Award – 2014) -- Ohio



**Beverly Simone**  
(AACC Board Chair –  
1993) – IA



**Eduardo Padrón**  
(Presidential Medal of  
Freedom – 2016) –  
AAUP Sanct. -- FL



**Maggie  
McMenamin**  
(PAEC – Middle States  
Commissioner --  
Chair) – AAUP Sanct.  
– NJ



**Betty Young**  
(PAEC) – Ohio



# WHO'S IN CHARGE?

## Shared Governance...

“means that a decision on a significant issue has been fully, deliberately and inclusively considered by the campus and then communicated. It means every effort has been made to fully inform and provide ample opportunities for participation.”







**Limited Confidence in Boards:**  
Only 3 percent of presidents are strongly confident American colleges are well-governed by trustees, and a large majority of public four-year presidents would replace their boards if they could, survey finds.

<https://www.insidehighered.com/news/2013/09/04/college-presidents-harbor-doubts-about-governing-boards>





# BOARD'S RESPONSE TO NO CONFIDENCE VOTES

- Express appropriate concern
- Outside Review
- Vote confidence in President
- Board internal review
- Open communication



# NO CONFIDENCE VOTE CONCLUSIONS

- President is replaced
- President remains although some more effective strategies implemented
- President/Board's work continues without need for revisions due to negative vote based on opposition to change







**Shifting Gears**

**Personal Opinions**



A man in a dark pinstriped suit jacket is seen from behind, scratching his head with his right hand. The background is a light-colored wall covered with large, black question marks. The overall scene conveys a sense of confusion or frustration.

**“A vote of No Confidence shows  
that you’ve become aggravated to  
the point of no return.”**

**Don Hale**





# CONCLUSION

“Shared Governance”

Little is more contentious than when a faculty vote “no confidence” in the president, which often calls for boards to step in and take action.

# WE HAVE CREATED SYSTEMS WHERE PEOPLE IN MANY STATES FEEL THEY HAVE A RIGHT TO...



Happiness created by an employer rather than themselves.

Confuse a system based on protections for scholarly freedom of speech with protection from accountability.

A lifetime position regardless of outcomes.

A position just because one graduated from school

Be exempt from economic conditions of the "Free Market"





# WHAT WE NEED

Honest  
**Discussions**

Ethical  
**Leadership**

To make hard  
**Choices**

**Courage**

To put  
**Students First**

To be **Willing To  
Lose** for the  
sake of the  
institution



## WHAT ABOUT STUDENTS?

Our academic relationships have evolved into artificial interactions that have become systems developed to maintain power affiliations, economic correlations, divergent associations and non-mission focused dealings that are becoming emergently consistent in an institutional breakdown for students.



# Questions & Discussion

