

## **Prepared Remarks for the Academic Senate, October 28<sup>th</sup>, 2017**

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Regarding: The Provisional Marriner S. Eccles Institute for Economics and Quantitative Analysis and the role of the Charles Koch Foundation therein.

I want to thank Senate President Dr. Margaret Clayton for the opportunity to speak before the Academic Senate. I am grateful to be a member of a University community that respects the expression of diverse points of view and supports the use of university governance procedures to solicit input by faculty, students, and staff. While 194 members of our academic community have asked to be included on the statement of concern that we submitted to the Senate's Executive Committee, I am mindful that I do not speak for all of these individuals. I will not reiterate all of the concerns and evidence that we assembled in our letter. Instead, I want to emphasize the following key points with the hope that these brief remarks may contribute to an informed judgment in this matter.

The primary concerns that many of us have with the grant agreement entered into between the Charles Koch Foundation and the University of Utah are anchored in principles that I think we can all agree are vital to the mission and responsibilities of our University: independent faculty governance and academic freedom. It would be a violation of these very principles to oppose a grant agreement with any donor or foundation on the basis of the political or philosophical views of that donor. We acknowledge and respect the fact that the University of Utah neither endorses nor condemns the political viewpoints of its donors. We also value the academic freedom of faculty members to seek support for their research. And we fully realize that donors have a right to outline the general area of focus for their gifts and that donors are entitled to an accounting of how their money is spent.

Thus, our concerns do not refer to the substantive political, philosophical, and economic views of the Koch Foundation. We welcome the robust exchange of diverse points of view on this campus and many of us have dedicated ourselves to promoting this type of dialogue both inside and outside the traditional classroom.

Our concerns refer instead to this Foundation's pattern of interfering with the conduct of faculty governance and the meaningful exercise of academic freedom: a pattern that prompted Faculty Senates at Wake Forest University, Western Carolina U, and Florida State University to take additional steps against outside interference with independent faculty governance by the Charles Koch Foundation. If this same pattern of undue influence was evident with another donor, irrespective of the donor's political or philosophical commitments, the substance of our concerns would be the same. What evidence is there to substantiate these concerns?

In the two weeks that transpired between the announcement of this new Institute (July 20<sup>th</sup>) and the deadline to submit a statement of concern to the Executive Committee of the Senate (August 4<sup>th</sup>), we spoke with many colleagues at peer institutions who have direct experience with the Koch Foundation. Our interviews have included former directors of Schools with Koch-funded

centers and faculty members who chaired or served on faculty search committees with positions funded by the Koch Foundation. Some of our central findings are these:

1. The grant agreements with the Koch Foundation at these institutions contain the same language as the U's grant agreement about promoting academic freedom and include the requirement to follow standard University procedures in the selection of faculty who will be affiliated with Koch-funded centers and institutes.
2. In practice, however, we have learned from these first-hand reports that AAUP President Dr. Fictenbaum was right to observe: "What is new about the donations by the Koch foundation . . . is that donors are playing a key role in *appointing or screening faculty members in order to promote a particular political agenda.*"

In one episode at a Pac-12 peer institution in 2015, a faculty search committee's short list of 30 candidates was vetted with the director of a Koch-funded center (unbeknownst to the search chair or search committee members) and only two "approved" candidates were allowed to go forward. The search committee chair's protests regarding this interference were in vain.

In another episode in 2016, standard University hiring procedures were again not followed and an open search was not conducted for an assistant professor position; a pre-approved list of candidates – generated by the Director of a Koch-funded School – was given to the search committee chair at the start of the recruitment process. This search committee chair resigned in protest.

What is significant about these episodes and others like them at other institutions is not that the ultimate outcomes of these searches followed the ideological preferences of the donor, but that the donor – any donor – is allowed to interfere with the exercise of independent faculty governance in matters directly relevant to faculty expertise (including faculty hiring and curriculum decisions).

3. Beyond the pressure to satisfy the preferences of the Koch Foundation as a means of sustaining both annual and future funding, Koch-funded centers and institutes have quickly evolved into parallel and rival Schools. This has created a situation – in addition to the challenges the Dean Berg has mentioned – in which faculty members fear that students have begun sorting themselves into programs in accordance with their pre-existing philosophical commitments rather than encouraging the exchange of diverse points of view within established Schools and Colleges.

I have great respect for the hard work that I know went into crafting the grant agreements for the Marriner S. Eccles Institute. I know that we have an extremely talented group of people at the U who help to make these partnerships possible for the benefit of our students and our entire community. I also know that everyone in this room is deeply committed to preserving the

academic and institutional integrity of our University. But to invoke a great philosopher's warning: "We learn from history that we do not learn from history" (G.W.F Hegel).

If the members of the Academic Senate and Central Administration believe that there is any merit to the concerns that have been articulated here, my hope is that we will learn from the experiences of others and do everything we can to safeguard our institution's long term interests and core values.

With respect to private foundation giving this may include establishing additional controls and mechanisms – applied equally across all institutes and centers and applied neutrally with respect to donors – to ensure that conflicts of interest are avoided and best governance practices are consistently followed. As a grant agreement, and not a gift, this may also entail an independent role by the Office of Sponsored Projects and the Vice President for Research.