

The Rogue Trustee: What Can the Faculty Do?



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Over 6,500 trustees serve the nation's community colleges. The overwhelming majority of these trustees are exceptional community leaders, elected or appointed to champion the community college mission for the community and students they represent. These local trustees serve the greater good, and as the guardians of their local community colleges they have helped create one of the most dynamic and innovative systems of colleges in the world. Occasionally, though, a trustee pursues a path other than serving for the greater good, and sometimes that trustee becomes a special challenge, a rogue, who can create enormous problems for other trustees, for faculty and staff, for the college CEO, and for the institution in general. In a national study of 59 such trustees in 16 states, conducted by the author in the spring of 2008, the term "rogue trustee" was created to describe the behaviors of trustees who operate outside the norms expected for community leaders:

"Rogue trustees run roughshod over the norms and standards of behavior expected of public officials appointed or elected to office. They place their own interests over the interests of the college. They violate written and unwritten codes of conduct. They tend to poison the culture of the college instead of helping to create a sense of community, collaboration, innovation, and common values. They become the catalyst for increased defensiveness, paranoia, subterfuge, and fear. In short, they cause enormous damage." (O'Banion, 2009, p.8)

These are not just troublesome trustees, or maverick or reformer trustees; these are the more extreme cases of trustees who act as rogues as the term is used to identify rogue elephants, rogue cops, or rogue states. The gauge that marks their difference from troublesome trustees is the enormous damage they do. Indeed, they have major impact disproportionate to their numbers in the community college world.

Among community college leaders there are whispered tales of the actions of rogue trustees who create havoc in their institutions. This is a closeted issue in education that has not been thoroughly aired because of fears of retribution and because of the negative publicity for the college and its leaders associated with airing the problems. As uncharted territory, some leaders are made uncomfortable by even acknowledging the issue, much less placing it on an agenda for discussion. But the problems associated with rogue trustees will not soon go away; the problems may be on the ascendency. And there are rogue trustees operating at every level of education—in community colleges and in four-year colleges and universities; in the K-12 sector the problem is epidemic.

Impact on Faculty

The impact of the rogue trustee on the president, other trustees, and the college is well documented in this study. The impact on faculty from a rogue trustee or from rogue

trustees acting as a team is an emerging issue that needs additional study and examination; this article is a first attempt to begin a conversation on the role of faculty in addressing the problem of the rogue trustee.

When the college to which they have dedicated their lives is under threat and in chaos, faculty feel the damage created by a rogue trustee. A climate of fear and mistrust begins to pervade the entire institution. A rational approach to conducting the business of the college is derailed. The college's reputation in the community and in the state—linked to the reputations of the faculty—is in jeopardy. The maelstrom caused by the rogue trustee can stir the darker angels hovering in the shadows of the institution.

Beyond this more generic damage to faculty is collateral damage that affects some individuals directly and personally. Although presidents make every attempt to protect faculty from personal attacks by rogue trustees, they are not always successful. Faculty leaders in the academic senate and the union are often special targets of rogue trustees. More common is the trustee who attacks any college employee who stands in the way of his or her agenda. Several presidents report on these cases as noted in the italicized quotes below:

He used fear, and faculty were afraid of his constant intimidation.

When told by staff members that his request is against college policy, he sometimes bullies and berates employees to their face and to others.

In open board meetings she would reprimand administrators and faculty leaders for not having the answers to her questions.

Where these personal attacks and intimidating actions occur, college faculty become demoralized and cynical. They begin going through the motions of doing their jobs. They lose heart, and the quality of their performance can deteriorate. Their relationship with the president suffers because they lose confidence in the ability of the president to manage the situation. If the president cannot protect herself, how can she protect me?

One of the outcomes of these deteriorating situations is that they encourage a few others in the organization to behave unprofessionally. In a number of cases cited in this study, faculty started going directly to the rogue trustee for support, bypassing the president and the other trustees. Rewarded with success, faculty return to these routes again and again, creating detrimental patterns of behavior. The climate of the college begins to deteriorate, and openness, collaboration, and community are lost values. Some faculty pine for the good old days. The rogue trustee, running roughshod over the norms of expected behavior, has wrought considerable damage on all the stakeholders.

Just as with presidents, the ultimate damage occurs when faculty lose their jobs because of the rogue trustee. Rogue trustees sometimes target specific members of the faculty for harassment, asking the president to fire or reassign the faculty member. Some take early retirement or resign to take jobs in other institutions to disengage from chaos and a deteriorating college environment.

Rogue trustees exacerbate institutional problems and create a climate of mistrust when they make inappropriate contacts or set up inappropriate alliances with faculty. Faculty are sometimes complicit in such arrangements.

Making Inappropriate Contacts with Faculty

The 59 presidents in this study were asked to rank order a list of 17 behaviors of rogue trustees; the second most prevalent behavior for rogue trustees was “making inappropriate contacts with faculty and staff.” Many trustees, motivated by wanting to serve and improve the college, will on occasion respond to a faculty member’s concern about an issue. And there are social occasions where trustees interact with faculty and may discuss aspects of the college in these informal encounters. These are normal behaviors that do not create established patterns that could lead to damaging behaviors.

Some rogue trustees, however, make inappropriate contacts with faculty that are considerably beyond the norm. Rogue trustees sometimes have relatives or friends in the faculty and champion their causes in board meetings and with the president. There are a number of cases in this study where a rogue trustee ran for the board with a single purpose in mind—to right the wrongs done to a spouse, relative, or friend. Rogue trustees sometimes gain the confidence of disgruntled employees to support the trustee’s effort to embarrass the president or to intervene in college operations. Some trustees feel they have a right and an obligation to interact directly with faculty and tell faculty what to do; the following examples were cited by presidents in this study:

The rogue trustee scheduled open meetings in the cafeteria with faculty and staff to hear their complaints.

The rogue trustee operated through a relative in the faculty to gather information with which he could play “gotcha” in board meetings.

The trustee comes to campus every day and wanders in and out of faculty and staff offices trying to uncover problems and issues he can address in board meetings.

It was discovered at one point that the rogue trustee had sent over 600 emails to college faculty and staff about college issues.

The trustee advocated strongly for higher salaries for the employee category in which her relative was assigned.

Faculty are often caught in a bind when trustees make overtures to them. On the one hand, faculty may be somewhat intimidated by trustees and want to respond to their entreaties in some appropriate way; on the other hand, some faculty can be seduced into the circle of power the trustee represents and exploit such connections to their own ends or to the ends of some special group they represent. There are lines of contact that neither trustees nor faculty should cross to ensure a stable and open communication system in conducting the business of the college.

Creating Inappropriate Alliances with Unions and Other Groups

A corollary of inappropriate contacts with faculty is reflected in the much more potentially damaging behavior of inappropriate alliances with some unions, the third most prevalent behavior of rogue trustees identified by presidents. Rogue trustees are sometimes elected by faculty unions for the explicit purpose of representing union priorities, and some do so at considerable detriment to the overall good of the college. When a trustee is elected and supported by a union that does not have the best interests of the college as its agenda, the college is in deep trouble; the fox in the henhouse is obligated to deliver the eggs. There are many cases where responsible unions champion and support excellent trustees, but

there are enough cases of alliances between a rogue trustee and a union that presidents in this study identified such alliances as the third most prevalent behavior of rogue trustees.

The self-serving alliance between a trustee and a union can cause considerable damage for a college and its leaders. It is an issue that needs more attention, study, and creative solutions. And faculty members need to consider whether or not their primary goal of serving students is compromised when they support union leadership that supports rogue trustees. Presidents cited these examples of inappropriate behavior regarding the alliances between rogue trustees and unions:

The faculty union paid a consultant to help elect trustees who would represent union interests. Once elected, the trustees appointed the consultant to a cushy contract as a consultant to the board.

In an open board meeting, the rogue trustee invited union representatives to meet with him directly to bypass the administration.

The trustee met with the faculty union during salary negotiations and coached the representatives on how to gain the most from the board, providing them with information from closed board meetings. In a closed session he threatened the board that the faculty would strike if their demands were not met. He ended up walking the picket line with the faculty.

The rogue trustee bleeds union blood.

Anyone who runs for a board seat without the backing of the faculty association is going to have a tough go. Just to stay even, such a candidate would have to double the local union's backing, since the California Teachers Association (CTA) automatically matches any contributions the faculty association doles out. (Coker, 1998)

Admonished by faculty for questionable practices in supporting the election of trustees favorable to the union, the faculty union president reminded faculty of the union's desire to have its candidates win elections at all costs.

The rogue trustee attended meetings of employee organizations and the local union chapter.

These alliances between rogue trustees and faculty unions and other groups (overt or covert) are the fault lines in an organization that can lead to major disruptions and even disaster. If the alliances have emerged in response to a despotic or incompetent president, there are many solutions to that problem other than creating a corollary situation that is just as damaging to the overall functioning of the college. It is impossible to create a collegial environment to effectively serve students in either case.

What Can Faculty Do?

Dealing with a rogue trustee is a very difficult challenge, and leaders and stakeholders are often reluctant to take on this issue. In a survey conducted by the League for Innovation in October 2009, of 556 member community college CEOs, 74 presidents responded to a series of questions regarding the rogue trustee. (The return rate was 13 percent, which is the typical return rate for this quarterly survey of these CEOs.) Asked to designate who had primary responsibility for dealing with a rogue trustee, 46 percent indicated the board as a

whole; 43 percent identified the board chair; only 3 percent listed the president. None indicated the faculty have a role.

But faculty can have a role. Their untapped power, influence, numbers, and credibility present a formidable force for mounting an offensive against the destructive actions of rogue trustees. Except for those faculty who have created alliances with rogue trustees, key faculty who care about the overall welfare of their colleges and their students are a latent but powerful force for taking on the rogue trustee. Unlike presidents who have limited contracts and who report directly to the board, many faculty are protected by tenure and union contracts and cannot be easily fired by a board, and certainly not by a single board member. Not all staff, but almost all faculty, are protected in their jobs and have nothing to lose in confronting rogue trustees. Boards are limited in number: Elected boards average seven members while appointed boards average 11 members. Faculty often number in the hundreds, and many of these have served at the college decades longer than board members, giving them the advantage of historical insight and critical mass. Faculty are among the most educated citizens in any community, holding doctorates and master's degrees, while board members often come to their positions with no background in education and little understanding of community college culture. Most importantly, faculty are professional educators, one of the most admired professions, and they have enormous credibility and influence with students, community leaders, local citizens, and state legislators. It is a major understatement to point out that faculty are an untapped resource for dealing with a rogue trustee.

If there is a rogue trustee in the college, the president, other trustees, and administrative leaders are well aware of the situation and the challenge—perhaps before faculty become fully aware of the problem. These college leaders have already been reviewing the situation, and they have probably even attempted some of the strategies outlined in the full report of the study on the rogue trustee. To avoid confusion and embarrassment, faculty members should communicate with other college leaders about the nature of the problem and plans to address the problem before initiating actions on their own. Working together with other college leaders, the faculty can play a key role in dealing with a rogue trustee.

Listed here are some specific actions faculty can take to deal with a rogue trustee:

1. **Votes of no confidence.** Faculty often exercise their power by casting votes of “no confidence” in presidents. Such votes often serve as the last straw in bringing down an incompetent or an unethical president and are almost always cited in the local and national press as a powerful act. Similar votes for rogue trustees could have the desired effect of empowering other trustees or citizen groups to act more forcefully. Faculty votes of no confidence alone might be sufficient for an embattled rogue trustee to realize that the odds are no longer in his or her favor.
2. **Petitions to authority.** When the faculty speak with a unified voice, others listen. A written petition detailing the charges against a rogue trustee, noting the damage to the college and the community, sends a powerful message. Petitions, depending on the culture of the college, could be sent to the president, other board members, or to the appointing authority in cases of appointed boards. Such petitions might be sent to all such stakeholders. In the case of elected trustees, faculty and staff petitions can be published in local newspapers and directed to citizens and voters.
3. **Highlight the damaging behavior.** Where there are rogue trustees, faculty should create a plan to consistently attend board meetings and to call out the damaging behavior when it appears. Such strategies might include rotating the leading spokespersons or provocateurs from board meeting to board meeting in order to protect individuals and to make the point that the issue is important to more than

just one or two faculty members. Faculty can also create websites and blogs to track and highlight the rogue trustee's behavior.

4. **Encourage journalists to investigate.** Faculty can become sources for local journalists and encourage them to attend board meetings and investigate the actions of rogue trustees. Education journalists representing national journals and magazines such as *The Chronicle of Higher Education*, *Inside Higher Education*, *Diversity*, etc., can be contacted by faculty about problems in their college. Student journalists for the local college newspaper and other publications can be encouraged by faculty to investigate rogue trustees. Publically airing the machinations of a rogue trustee in the press—local and national—creates a powerful force that can unravel the plans of rogues.
5. **Appeal to accrediting commissions.** Reported in the national press, the Maricopa Community Colleges in Phoenix, Arizona, is a case study in which the Higher Learning Commission was notified anonymously (some say by a faculty member) about the damage created by rogue trustees to one of the most respected community college districts in the nation. As an outcome of the appeal, the chancellor was invited by the Commission to take some action; he asked for a review by a group of external educators, many of whom had played leading roles in the accrediting process in other colleges. The report of the consultants provided leverage for the chancellor to engage specialists in dealing with board problems to work with the board in a series of workshops. The case is an example of how effective faculty can be when they appeal to accrediting commissions.
6. **Mount recall campaigns.** In a number of states, faculty have been involved, sometimes with citizen groups, in mounting a recall campaign against a rogue trustee. Faculty can play key roles in such an effort and have networks and resources to orchestrate major campaigns, leading to successful outcomes. Even students can play a key role in recall campaigns. As reported in *The Desert Sun* on May 21, 2009, "Residents of a rural community near Yosemite National Park have overwhelmingly voted to recall all five members of the local school board after a group of high school students launched a campaign to unseat them." (p. 5). If students and faculty were to join forces to redress a major wrong in a college, defendants would not stand much of a chance.
7. **Field an opposing candidate.** Faculty astute enough to mount a recall campaign also have the skills and abilities to field an opposing candidate. Identifying and supporting an opposition candidate may be less messy than mounting a recall campaign, although many of the same political elements are involved. Although a winning candidate, supported by the faculty, may be the answer to replacing a rogue trustee, such a trustee can create other problems for the institution and its leaders if the new trustee feels obligated to the faculty.

Some of these suggestions are hardball strategies that must be weighed against the overall damage that can accrue to the college from local and national publicity about a problem that most would like to handle in the confines of the college community. Several outstanding community colleges in the nation have suffered a loss of reputation when the machinations of a rogue trustee have been reported in the press, when the accrediting commission has been called in, or when recall and election campaigns take center stage. Faculty should work with college leaders to mitigate these outcomes as best they can and to design strategies that do not garner such publicity; but, in the final analysis, short-term negative publicity may be less important than long-term gain in unseating a rogue trustee.

Even in the worst of circumstances created by rogue trustees, faculty continue to meet their classes and provide the support their students need—because they are dedicated

professionals committed to students and to their profession. Although something is lost, they do their best and sometimes hunker down into cynical impotency, unable to disengage from the effects of the chaos and anger that permeate the college. The work of the rogue trustee can tamp down the innovative spirit of the faculty who go unappreciated and unsupported in their efforts to improve and expand student learning while the administration and the board focus all their attention on a rogue trustee. Faculty, however, do not have to stand idly by as a rogue trustee or two begin to create a pattern of damage. Faculty have considerable power to deal with such trustees, perhaps even greater power than other trustees and the president. If that power is exercised in a careful and responsible way, not only will the faculty benefit but so will the college, the community, and the students.

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