WHEREAS, In its March 2009 meeting, The Board of Regents added the following section to Texas A&M System Policy 1.03, *Appointing Power and Terms and Conditions of Employment*:

“3. PRESIDENTIAL SEARCH
3.1 The board shall act as a search committee of the whole for all presidential searches.

3.2 The board may at its discretion appoint a presidential search advisory committee (committee) to fill a vacancy for the position of president of a system member university or the HSC. The board may replace committee members as it deems necessary. The advisory committee shall consist of at least two members of the board and the vice chancellor for academic affairs. The remainder of the committee will be comprised of the following representatives: four members of the faculty, two students (1 graduate and 1 undergraduate), one staff member, two former students and two members of the community. The chair of the committee will be named by the board chair.

3.3 Responsibilities of the Advisory Committee
The committee shall determine the candidates’ academic, administrative, and business abilities. The committee may interview candidates as a part of its selection process. Interviews should be conducted on the basis that the confidentiality of the process is critical to its ultimate success. The committee shall submit to the board, through the chancellor, a list of no fewer than three candidates in no rank order. The board shall determine which candidates (if any) will be interviewed by the board prior to naming a finalist(s). If none of the names submitted by the committee is satisfactory to the board, the board may either name a new committee or proceed to select a finalist(s) under such other procedures as it may deem proper and appropriate at its sole discretion.

The board shall not be limited under any circumstances to only consider candidates previously vetted by the advisory committee.” and

WHEREAS, the Faculty Senate of TAMU commends the Board of Regents for recognizing the value of a diverse and inclusive search advisory committee representing all stakeholders, and for the contribution such a committee would make to enlightened, shared governance, but

WHEREAS, the possible naming of a search committee is effectively rendered meaningless by clauses that allow non-vetted candidates to be hired, and

WHEREAS, the Chancellor, who will be the direct superior of each president hired, appears to be no more than a messenger in the process; and

WHEREAS, the best potential candidates are unlikely to seriously consider application through the Search Committee process knowing other less-qualified candidates may be selected under the rule, and

WHEREAS, implementation of some aspects of the rule, as written, could create unequal treatment of candidates and thus raise questions of compliance with the Equal Opportunity Employment act that Texas A&M, as a recipient of federal funds, is bound to uphold; and
WHEREAS, implementation of those same components of the rule could tarnish the role model image that Texas A&M University enjoys as a member of the Association of American Universities (AAU) and cause all system Universities to risk possible sanction by the American Association of University Professors (AAUP) for failure to follow best-practice standards for hiring; now, therefore, be it

RESOLVED, That the Faculty Senate of Texas A&M University, while respecting the final authority of the Board of Regents in hiring of presidents within the system, asks that the Board rescind the March 2009 policy changes in favor of a policy that ensures all candidates will be equally vetted through an appropriately appointed search advisory committee.