

Faculty Petition to Conduct a Vote of No Confidence in the Wright State University Board of Trustees

The Board of Trustees is the governing body of Wright State University (WSU). As such, they are entrusted with acting in the best interests of the University rather than in their own personal interests or the interests of some other person or organization. The Board oversees all operations of the University. Importantly, they are responsible for assuring the financial integrity and solvency of the University, establishing procedures to protect against fraud and risk, and upholding the primary mission of the University—education.

The University Faculty has lost confidence in the Board of Trustees to govern Wright State University for the following reasons:

1. The Board has led the University into a financial crisis that resulted in a complete depletion of University reserves. Consequently, the University has been on the brink of fiscal watch by the State of Ohio and has suffered severe budget cuts that threaten the educational mission of the University¹.
2. In 2014, the Board created a non-profit entity called "Double Bowler"² to hide the ownership of real estate purchased on behalf of the University,^{3,4} who cannot afford to maintain these properties.
 - a. Wright State pays Double Bowler's operational losses and debt service payments, which amounted to \$1.1 million in 2018.⁵
 - b. Double Bowler purchased four buildings across the street from the main campus in the amount of \$11.3 million with mortgages extending through 2035.⁴⁻⁶
 - c. There is an appearance of impropriety with regard to the \$5.7 million purchase of two of the above-mentioned buildings, formerly owned by Wright Patt Credit Union because the Chair of the WSU Board of Trustees, Douglas Fecher, is also the Chief Executive Officer of Wright Patt Credit Union. The University is planning to create a Welcome Center and archive facility in one of these buildings at a time when the University cannot afford to expand.
 - d. The Board approved the formation of limited liability companies (LLCs) as spinoff real estate holding companies, further obfuscating the ownership of properties that the University cannot afford to maintain. These LLCs include Fairborn Value Investments I and II LLC, 506 East Xenia Drive LLC, Grimes Street LLC, and Fairborn Office Property LLC.²
 - e. The University pays a Chief Real Estate and Facilities Officer an annual salary of approximately \$249,000 to oversee these properties among other duties.¹
3. The Board has clouded the flow of money to/from other affiliated entities, such as the Wright State Research Institute (WSRI) and the Wright State Applied Research Corporation (WSARC) that allowed for the concealment of financial problems from key leaders at the University.⁷
4. In 2016, the Ohio Ethics Commission reprimanded Trustee Michael Bridges for an ethics violation. They found that "...Bridges e-mailed his son's resume to employees of WSU, including the Executive Director of WSRI and followed up with dates and times his son was available for meetings or interviews."⁸ Bridges' son was hired in 2015 by WSRI at a starting salary of \$104,620 and was earning \$128,081 just two years later.⁹

¹Post-hearing Brief of the AAUP-WSU. The Wright State University Chapter of the American Association of University Professors (Union) vs. Wright State University (Employer). SERB Case No. 2017-MED-02-0172. Retrieved from:

<https://thewebsiteofwrightstateuniversitysaapuchapter.files.wordpress.com/2018/10/000-1-aaup-wsu-post-hearing-brief-for-fact-finding.pdf>

²Ohio Secretary of State. Business Name Search. Retrieved December 14, 2018 from <https://www.sos.state.oh.us/>

³Sweigart, Josh. "Non-profit used to expand WSU footprint," *Dayton Daily News*. 3 June 2015. Retrieved on January 6, 2019 from <https://www.mydaytondailynews.com/business/economy/non-profit-used-expand-wsu-footprint/9xctPuYMks5CYY3sGdp8pl/>

⁴Sweigart, Josh. "Wright State increases land holdings across from university," *Dayton Daily News*. 16 Sept 2016. Retrieved on January 6, 2019 from <https://www.daytondailynews.com/news/wright-state-increases-land-holdings-across-from-university/HeCvU1qnrssj47Y8Shj74M/>

⁵G. Sample, personal communication, November 13, 2018.

⁶Greene County Auditor. (2018, August 23). Greene County URECA - Property Search. Retrieved January 6, 2019 from <http://apps.co.greene.oh.us/auditor/ureca/default.aspx>

⁷Plante Moran. (2016, October 3). WSRI/WSARC Analysis. Wright State University, Dayton, OH.

⁸Ohio Ethics Commission. (2016, December 13). Settlement Agreement in the Matter of Michael Bridges, Inquiry No. 16-Q-0122-001.

⁹I-Team Payroll Project. *Dayton Daily News*. Retrieved from <https://www.mydaytondailynews.com/data/news/payroll-project/>

5. The Board has protected Division I athletics over education and prohibited the University President from making any significant cuts to the athletic budget, in comparison to the large budget cuts sustained by the academic units across the entire University during the ongoing financial crisis. In 2017, "Dr. McCray testified that when he came to Wright State, the Board of Trustees gave him two mandates: 1.) to reduce expenditures by \$30 million by June 30; and, 2.) to protect Division I athletics."¹⁰
6. The Board failed in their administrative oversight, resulting in a scandal surrounding the issuance of H-1B visas, which cost the University \$1,000,000 as a settlement for non-prosecution¹¹, plus additional millions of dollars in Federal investigation fees, forensic audit, and years of paid administrative leave for the former Provost, among other costs.
7. Trustee Bruce Langos was observed on video advocating for hiring people with Associates degrees,¹² seeming to ignore the fact that the vast majority of degrees awarded by WSU's main campus are bachelor's and graduate degrees.¹³
8. The Board has bargained in bad faith with the faculty Union, leading to a protracted contract negotiation process that has garnered negative media attention, caused plummeting student enrollment, and created a profound, negative impact on the learning environment. In such negotiations, the Board has shown a disregard for tenure and continuing appointments through its proposed retrenchment process, thus endangering the academic freedom that is essential in teaching and research. As a result, the University's ability to retain and attract nationally competitive faculty members in the areas of teaching and research has been severely compromised. The Board failed to respond to a negotiation offer made by the faculty Union after an overwhelming rejection of the Fact Finder's Report by Union members, and the Board imposed a contract in the absence of any further negotiation. Regardless of any contract settlement at this point, the harm has already been done, and the negative financial and enrollment repercussions will be felt for many years.

Collectively, this list of grievances speaks to a five-year pattern of behavior by the Board that has caused significant harm to the University. Therefore, I hereby petition the Faculty Senate to call for a No Confidence vote in the Wright State University Board of Trustees.

Printed Name of Faculty Member

Signature

Date

¹⁰Post-hearing Brief of the AAUP-WSU. The Wright State University Chapter of the American Association of University Professors (Union) vs. Wright State University (Employer). SERB Case No. 2017-MED-02-0172. Retrieved from:

<https://thewebsiteofwrightstateuniversitysaupchapter.files.wordpress.com/2018/10/000-1-aaup-wsu-post-hearing-brief-for-fact-finding.pdf>

¹¹Department of Justice, U.S. Attorney's Office, Southern District of Ohio. (2018, November 16). Wright State University Agrees to Pay Government \$1 Million for Visa Fraud. [News Release]. Retrieved from: <https://www.justice.gov/usao-sdoh/pr/wright-state-university-agrees-pay-government-1-million-visa-fraud>

¹²American Association of University Professors, Wright State University Chapter. (2018, October 1). Video clip from the August 17, 2018 meeting of the Wright State Board of Trustees. Retrieved from: <https://www.youtube.com/watch?v=M7iEey46H58&feature=youtu.be>

¹³Wright State University. (2018, December 10). Quick Facts. Retrieved from: <https://www.wright.edu/about/quick-facts#panel-bootstrap-column-11>