

“INSIDER” DEANING

Stephen R. McAllister

INTRODUCTION

THE title of this essay refers to those deans who have some significant preexisting connection to the school for which they are selected to be dean. In common parlance, they are “insiders” who assume the mantle of leadership for an institution with which they are already intimately familiar. Or, at the least, they have been around the place and its cast of characters for a while before becoming dean.

Within the category of “insider” deans, there are at least three sub-categories. First, are deans who came to a school for the first time as a faculty member, then eventually become dean. Second, are deans who are alumni of the school, but have never actually served on the faculty. Third, are deans who combine the first two categories—they are an alumnus/a of the school, they later return to the school and join the faculty, and eventually are chosen dean.

My own history puts me in the third category. In fact, my association with the University of Kansas School of Law began in my senior year of college, when I obtained a job as a desk assistant in the law school library. From that vantage point, I observed much of the life of the law school. I witnessed firsthand the stressful times for law students, as well as their collegiality.

I also began to learn about the law faculty, including the location of faculty offices, which faculty members hoarded books, which ones actually checked out books instead of just carting them away to their office, and who made regular appearances in the reference area of the library. One or two faculty members I even mistook for students until corrected by librarians.

Immediately after graduation, I became a student at the KU Law School. For the next three years, I was part of the institution in the traditional student fashion. I enjoyed my classes and the experience, including participation on the law review and in a clinic that sent students to work in local prosecutors’ offices. Of the thirty or so members of the law faculty, I took classes from probably half, and became acquainted with several others through a variety of activities. Then I was off to Chicago and Washington, D.C. for almost five years before I was asked to return to the law school as a visiting faculty member.

Returning to one’s alma mater to teach, especially at a school of modest size like Kansas, is an interesting experience. Initially, there is some difficulty just in learning to address colleagues by their first name, rather than as “Professor Z.” For me, since I had graduated only five years prior to returning, virtually all of my teachers and mentors were still in the building. The cast of characters was remarkably familiar, though I was on the opposite side of the lectern.

* Dean and Professor of Law, University of Kansas School of Law.

My one-year visit turned into a second visit and then a tenure track faculty appointment. In five years I received tenure and became associate dean. Less than two years later, I was the dean. So here I am, dean of my alma mater and asked to contribute to a symposium issue on deans and what we do. Many others already have written about the numerous facets of deaning, the many challenges that deans face, and the joys that come with the job. I will write from my own experience as an “insider” dean, because I am convinced that insiders both face special challenges and have certain, inherent advantages.

THE CHALLENGES OF “INSIDER” DEANING

1 *Knowledge of the Faculty*

One of the biggest challenges of “insider” deaning is the dean’s often intimate knowledge of the faculty. This can be a challenge because, whether from an experience as a student or as a faculty member, the dean will have impressions of many—if not most—of the faculty members. But a dean must be impartial and evenhanded to do the job effectively. That can be difficult if there is a preexisting history between the dean and a particular faculty member, or the dean knows of a history that the faculty member has with the institution and previous deans.

Such knowledge can tempt a dean to develop “favorites” among the faculty, or not to engage certain faculty members in specific endeavors of the school. Those are natural responses to the insider’s knowledge, but aside from extreme cases, the dean must resist them. Many faculty members are quick to perceive slights or disfavor, so an evenhanded approach is essential. Encyclopedic knowledge of one’s faculty, including some of their less flattering moments, can make impartiality difficult.

2. *Respect and Credibility*

The perceptions and impressions challenge is a two way street. Just as the dean will have opinions about the faculty, they will have opinions about the dean, opinions developed from the dean’s time as a student and/or faculty colleague. Though the dean presumably has been chosen with significant faculty support, there is no escaping history. Some faculty may not adjust (well or ever) to the notion of a former student or faculty colleague setting their salary or evaluating their performance.

3. *Familiarity with the Institutional Environment*

Another potential challenge for the “insider” dean is such familiarity with the institutional environment that the dean cannot, to use a cliché, “think outside the box” to develop institutional initiatives and move the school forward. After many years at an institution, it is very easy to become settled into routines and ways of thinking that should be challenged or reconsidered. How many deans have sought explanation for a particular practice or tradition only to be told, for example, that a “rule” exists “because we have always done it that way?” It may be more difficult

for the "insider" dean to separate from the institutional environment, to step back and look objectively at a time-honored but dysfunctional custom. Borrowing from Yeats, it is important to be able to "cast a cold eye" on the situation. An insider may be more inclined to write off certain ideas as "just not possible" or "too much trouble" or "not worth the fight they will cause."

4. *I Am Not Going Anywhere*

Insider deans, much more so than outsiders, are probably less likely to depart the institution at the end of the deanship. They are less likely to assume a deanship elsewhere, or to leave for private practice or another endeavor. They may take a sabbatical or leave of absence for a year immediately after stepping down (a practice that has much to commend it), but they often resume a position on the faculty. In my case, I have three former deans on my faculty (On good days, they are "resources" and "institutional memory"; I won't talk about the bad days).

The challenge here for an insider dean can be twofold: First and foremost, a dean loses some leverage with the faculty and university administrators if there is no realistic threat that the dean will become a free agent and entertain an offer from another law school. In other words, an "insider" dean may be expected to put up with more annoyances and inconveniences than an outsider. If a school has gone to the trouble to recruit an outsider, there may (at least for a time) be reluctance to chase the new dean off. An insider can always just return to the faculty, so my sense is that there is less reluctance to hassle an insider dean about anything and everything, from the trivial to the substantial.

Another lesser problem may arise at schools that select insider deans with some frequency. In such institutions, there often will be former deans on the faculty. So the insider dean not only has to deal with faculty who know the dean well (and vice versa), but sometimes with former deans who may still have their own agendas or cadre of loyalists that can be whipped into a frenzy when the new dean suggests some idiotic change in law school policy or practice.¹

THE ADVANTAGES OF "INSIDER" DEANING

1 *Knowledge of the Faculty*

It can be a terrific advantage to possess intimate knowledge of the strengths and weaknesses of a faculty upon assuming the deanship. Unnecessary "mistakes" (such as making unsuitable committee assignments or involving the wrong faculty in alumni and fundraising activities) can be avoided. The insider can hit the ground running, maximizing the contributions of faculty members because of his or her knowledge about which are the most productive scholars, the most effective teachers, the most beloved by alumni, and so forth.

1. On the other hand, former deans can be extraordinarily useful and helpful, as described later in this essay. Indeed, in my own case, that is how I would describe the three former deans on my faculty.

An insider dean also may know—in both positive and negative respects—the effective triggers for particular faculty members. What makes them work harder? To what rewards do they respond? Or, what will cause them to explode? What topic or assignment should be avoided at all costs?

The trick, of course, is to exploit this knowledge to the fullest in positive ways while studiously suppressing any inclination to exact the revenge or satisfaction that all deans deserve (but should rarely claim) in response to faculty foibles. But, in my opinion, an insider dean can gain at least a year to two years head start on an outsider in this respect. An insider dean may have to spend some time getting better acquainted with a few faculty members, and certainly relationships with faculty must and will continue to evolve. But unlike an outsider, an insider already has seen most faculty at their best and worst, and over a considerable period of time. Managed properly with objectivity and impartiality, such knowledge is a priceless asset for the insider dean.

2. *Respect and Credibility*

Though the insider dean may have to work harder in some ways to maintain credibility and respect as “the dean” rather than as a colleague or former student, there are significant advantages to coming from the inside. Insider status lends credibility to the dean with three other important constituencies—alumni, students, and university administration.

Having been a student at the school where I dean gives me instant, virtually unassailable credibility with my students. I was in their shoes only a few years ago (well, maybe a little longer than that), in the same building, with many of the same professors. I took many of the same classes. I lived their experience and feel that a strong rapport with the students is truly one of my greatest assets.

Likewise, the alumni love having a dean who is also a graduate of the school. Again, there is a commonality of interests and shared experiences that brings instant and enduring credibility. That credibility pays off both in terms of engaging alumni in the life of the school and in fundraising, both of which are critical to the success of a state institution in the current environment.

Insider status also may help with university administration. At a minimum, an insider is likely to have some knowledge of university rules, regulations and practices, as well as the over all institutional environment and culture. For my own part, developing a relationship with university administration as a dean was simpler because I already had worked with the provost and chancellor prior to becoming dean. An insider who meets with the university administration’s approval in the dean selection process likely has considerable knowledge of the university as a whole, as well as some relationship with campus administrators.

Lastly, even with respect to the faculty, there are advantages for the insider. Faculty have to some extent supported the insider’s dean candidacy, so by definition there must be a significant level of respect and trust. Perhaps more importantly, the faculty has had time to assess an insider’s loyalty to and support of the institution prior to the deanship. Thus, there is proof of the insider’s commitment to the institution.

3. *Familiarity with the Institutional Environment*

Though insider deans may have to work a little harder to "think outside the box," their intimate knowledge of the institution should permit them to avoid engaging in impossible tasks that will disrupt the faculty, students or alumni and ultimately not advance the institution's interests. Sometimes knowledge of the history of an institution's rules and traditions can illuminate for a dean the path to substantial changes. There may be paths that reach the end goal while avoiding minefields that could frustrate the ultimate purpose. An insider is in a better position to know where the minefields lie, and which faculty members may be crucial to particular policy or institutional changes.

Moreover, an insider dean can and should avoid paralysis by tradition by taking advantage of opportunities to see and learn what other schools are doing. Forums such as this symposium are very useful, as is participation on American Bar Association accreditation teams. There are ways for an insider to see outside the box, to get ideas for change and progress.

4. *I Am Not Going Anywhere*

An insider's loyalty to the institution can result in considerable power to effect positive change. The fact that an insider is much less likely to depart for another institution means that the faculty know they must live with the dean for a long time, indeed even after the "insider" steps down from the deanship. And not infrequently former deans can exert considerably more influence with students, alumni and other faculty than a typical faculty member.

But an insider dean will be powerful only if he or she truly cares about the institution first, and the job second. An insider often recognizes from the beginning, usually even before the deanship commences, many changes that will improve the institution but, as any dean knows, institutional change often involves political costs. Changes can be made, but sometimes popularity and relationships may suffer, because it is rare that an entire faculty agrees on anything. The insider dean may—though I am not certain of this—be more inclined to endure some of the political heat necessary to make important changes. This depends, I suppose, on the insider's motivation for becoming dean. If it is more personal in nature, then the insider may be no more likely than anyone to fall on a sword. But if the insider has assumed the role because of the potential for the advancement of an institution that the insider loves, then falling on a sword may just be part of the job.

Again, it is difficult to generalize, but an insider who has no desire to dean at another institution, can be less concerned about ensuring that the faculty will give glowing recommendations about the deanship. Moreover, an insider's loyalty and commitment to a single institution can generate considerable influence with alumni and students. Those constituencies, by definition, have undivided loyalty to the institution. Smart people will recognize positive change, even if it is occasionally unpopular with one or more constituencies. And the support of loyal alumni and students can empower a dean considerably. In my opinion, it may be somewhat easier for an insider dean to generate the enthusiastic support of those constituencies.

Lastly, my strong sense is that former deans who return to the faculty from which they came enjoy a sort of revered status. They do not necessarily get paid more or get more research support or lighter teaching loads, but typically they do command significant respect from alumni, as well as their faculty peers. Former deans are never just “regular” faculty members again, though they can go on to lead quiet and productive faculty lives, out of the spotlight and without the headaches of deaning.

CONCLUSION

Like deaning anywhere, “insider” deaning has substantial challenges. Indeed, it involves some challenges not faced by outsiders (but then they have some challenges that do not face insiders). Nonetheless, insider deaning has significant rewards and advantages.

For my part, I have difficulty imagining myself as the dean of any institution other than my alma mater, where I also served as a faculty member and associate dean. I am proud of my school and confident about its future. And if I get sacked one day for doing the right thing by my students, alumni and the institution, then so be it. Having the opportunity to lead my school, to represent it publicly, and to strive to improve it every day is a special privilege for which I will be eternally grateful. Thus, it is not just my duty, but my desire, to make KU Law (and no other institution) the best place I can. I feel fortunate to be an “insider” dean.