

Future of the Rose Committee Interim Report

April 30, 2009

OVERVIEW

In the month that the Future of the Rose Committee has been meeting, we have made progress, and the situation around us has evolved. There seems to be a shift in the community's focus: we are hearing more future-oriented suggestions about the Rose (though the anger about the Administration's management of the process that led to and followed the January 26th announcement lingers, and continues to affect our work). The Administration has changed its thinking in substantial ways.

Brandeis is *not* closing the Rose and selling all the art work, though we must say in the same breath: it remains a possibility that some will be sold. Brandeis is *not* going out of the museum business, although here too we must acknowledge that we've heard from some who hold the view that we *ought* to, or *might as well*, go out of the museum business if we plan to sell any art work. The Provost's announcement of a transition plan for the Rose includes information about staffing and internships, as well as an affirmation of the University's commitment to the Rose as a museum open to the public, and the Committee welcomes that reaffirmation. As we see it, the University has stepped back from the precipice. Our job is to recommend a different direction. This provides the setting within which we go forward with our work.

I. BACKGROUND

The Future of the Rose Committee is a successor to an earlier emergency fact-finding group (First Rose Committee – Eric Hill, chair, Nancy Scott, and Jerry Samet as announced on January 30, 2009) that was convened by the Faculty Senate in response to a motion at the January 29, 2009 Faculty Meeting. The first Rose Committee took its charge to be:

1. to understand better the costs and benefits of keeping the Rose open vs. closing it
2. to explore viable alternatives to closing the Rose

The First Rose Committee recognized, as it stated in its February 16, 2009 Report, that it would not have the time or resources to make concrete recommendations about the Rose. Instead, it aimed to provide some important factual background, to get feedback on the announced closing from some segments of the Brandeis community, and to sketch out the key issues facing us.

The Faculty Senate Council and the Provost, working collaboratively, convened the current Future of the Rose Committee to extend the work of the First Rose Committee. On March 3rd they announced that Prof. Jerry Samet would chair the Committee. On March 16th they announced the full Committee membership (see Section III). Like its predecessor, this Committee was convened with a loose understanding of its projected work, and with the plan that the Committee—with the help of the Provost and the Faculty Senate Chair—would articulate its charge at its first meetings.

The Committee has adopted a difficult charge (see Section II). The Committee takes it as a 'fact on the ground' that the Board of Trustees has authorized the Administration to sell art work if the budget crisis requires it, as per their January 26, 2009 resolution, which reads:

That the University administration is authorized to take the necessary steps to transition the University's Rose Art Museum to a teaching center and exhibition gallery. These steps shall include, to the extent appropriate, review by the Office of the Attorney General

of the Commonwealth of Massachusetts and court approval, followed by an orderly sale or other disposition of works from the University's collection. The proceeds shall be used to help address the University's needs and preserve the University's assets during this period of economic challenge.

The resolution triggered a storm that engulfed the University, and the transition it suggested no longer accurately reflects the thinking of either the Administration or the Committee, as noted above. But the authorization to sell works from the collection remains in place. The Committee has remained neutral with respect to this key part of the resolution. Individual Committee members may well hold differing opinions on its wisdom, its feasibility, and its correctness. But we understand the responsibility for such a decision to lie with the Board and the Administration. Our job is to help figure out how best to go on, given that such sales might occur.

Some in the wider community have wondered—and no doubt continue to wonder—why we have not made it our charge to evaluate the Board's decision with an eye to endorsing it or recommending that it be reversed. Some on the Committee may have entertained this idea at one point or another, but in the end, we have agreed that this sort of evaluation is outside of our expertise. The multiple presentations of our financial situation by Peter French and by the University Budget Committee over the first weeks of the Spring semester have convinced us that the University faces extraordinary financial difficulties, and that there are no easy or obvious solutions. The Board's decision has to do with the overall, long-term, financial well-being of the University, and we believe that our Committee's experience and expertise is better focused on issues regarding art and education rather than making recommendations about the University's best financial course. We may also say that this position of neutrality on the best ways to solve the larger financial issues was not imposed on us by the Faculty Senate leadership or by the Provost. It comes out of our own deliberations and reflects our best judgment about the most fruitful role the Committee can play. We understand that other committees across the University are exploring possible solutions to our financial problems and we have confidence in their work.

Once the charge was adopted on March 27th, we decided to postpone substantial deliberations until we had (i) collected the background information we needed to understand more fully the Rose's current situation, and (ii) reached out to various constituencies and information sources, both on campus and off campus, to get opinions and advice about the current situation and our work.

There have also been questions raised about the 'legitimacy' of our Committee and the appropriateness of asking our faculty-student-arts staff-trustee-alumni body—and not the Rose professional staff and its Board of Overseers—to consider the future of the Rose. There may be differences of opinion about who can take up the Committee's charge with the necessary objectivity and independence. But what is clear to us is that there is no issue about legitimacy. The Rose's Board of Overseers has greatly benefited the museum in the past, and we continue to hope that it will play a productive role in the future. But the Overseers have no fiduciary role and serve in an advisory capacity. The Rose Art Museum Board of Overseers By-Laws make this plain:

The Rose Art Museum Board of Overseers is an advisory body appointed by the President of the University to advise the Director and to provide support with respect to collections, programs, fundraising, and other matters pertaining to the long-term goals and mission of the Museum.

The Rose is a part of the University. The governance and fiduciary responsibilities for the Rose, and for every other unit of the University, rest with the University administration and ultimately with the Board of Trustees.

II. COMMITTEE CHARGE

The Future of the Rose Committee is charged with exploring options for the future of the Rose in light of the present circumstances, with the goal of issuing recommendations to the Brandeis administration and Board of Trustees.

The Committee will operate with the understanding that the Board of Trustees, as part of its fiduciary responsibility for Brandeis University, will determine whether or not to sell works of art from the Rose. We assume that whatever decisions the Board makes regarding such sales, there will remain a substantial collection of art to be preserved and made available for research, study, and cultivation.

Given this understanding, the Committee will recommend ways for the Rose to continue to play a vital role in the cultural and educational mission of the University.

To this end, the Committee will:

- Solicit input from a broad range relevant constituencies, including faculty, undergraduate and graduate students, alumna/e, the Rose Board of Overseers, the University Board of Trustees, administrators and staff, and outside experts, and will consider this feedback during its deliberations;
- Offer periodic updates on its progress;
- Synthesize feedback and analysis; identify and explore options; deliberate findings; draft and issue a Final Report.

The Committee is cognizant of the sense of urgency that pervades our community. That the Committee have sufficient time for careful exploration, analysis, and deliberation is crucial. If the Committee is not ready to issue its Final Report such that the Brandeis community has opportunity to discuss it before the end of the semester, the Committee will issue an Interim Report on or before April 30th, and will continue its work into the fall 2009 semester.

III. MEMBERSHIP AND MEETINGS

Membership

Prof. Jerry Samet, Chair, Philosophy

Mr. Stephen Reiner, '61, Member, Board of Trustees; Vice President of the Brandeis National Committee

Mrs. Betsy Pfau, '74, Member, Rose Board of Overseers; Brandeis Arts Council

Prof. Charles McClendon, Fine Arts, Former Rose Overseer

Prof. Graham Campbell, Fine Arts, Former Rose Overseer

Prof. Detlev Suderow, '70, International Business School; Member, Executive Committee of the Brandeis National Committee; former Vice President of the Brandeis Alumni Association

Mr. Roy Dawes, Assistant Director of Operations, Rose Art Museum

Ms. Catherine McConnell, '10, Undergraduate Student, Studio Art major

Mr. Bryce Peake, Graduate Student, Cultural Production

Mr. Scott Edmiston, Director, Office of the Arts

Dr. MaryPat Lohse, Assistant Provost, Administrator

Meetings

Meetings of the full Committee were held on:

- March 19th
- March 27th
- April 7th
- April 22nd
- April 30th

Additionally, subcommittees responsible for outreach met outside the full Committee meeting structure. We are in the process of scheduling meeting dates for May and for early summer.

IV. WORK PLAN

Components of the Committee's work plan include:

1. Gathering background information
2. Soliciting feedback and ideas
3. Assessing, deliberating, and developing options
4. Writing the final report

Our progress on each component is summarized below.

1. Gathering Background Information

The following is *preliminary* background information regarding legal and budget issues. We are continuing to ask questions and gather information on these matters and will include our findings in our Final Report. What we have learned thus far is summarized below.

Legal Information:

There have been a host of questions raised about the possible sale of art from the Rose. They range from concerns about the morality of such sales, issues of feasibility and imprudence, public relations effects, and so on. Most of these matters fall outside of our charge, and we expect that they will be considered by those who may at some point in the future be charged with planning and managing such sales.

But there has been a good deal of unfounded speculation and misinformation in the community about possible legal constraints on the Rose, the legality of the sale of art, and the impact of such sales on the Rose's status as a museum. Early in the process we sought clarity on these issues, and we received answers to the following questions from Judith Sizer, university legal counsel:

- Q1. Can Brandeis legally operate a public museum if we sell art work and do not use the proceeds to purchase other art work?
A. Yes.
- Q2. Are there any restrictions with respect to the name of the building and the spaces? Are we obligated to keep the names "Rose Art Museum", "Mildred Lee Gallery", and "Lois Foster Wing" according to the donor agreements?
A. Yes, in all three contexts.
- Q3. Are there other specifications in the donor agreements detailing how the space must be used?
A. The donor agreements do not contain explicit instructions concerning the use of particular spaces within the building.

Budget Information:

On April 2nd, Fran Drolette, Vice President for Budget and Planning, provided us with an overview of the Rose's budget. This preliminary information was intended to deepen our historical understanding of the Rose's budget, and provide insight into the impact on the budget of (i) the global economic crisis, and (ii) the local turmoil surrounding the Rose.

We learned that in fiscal year `08 the Rose's revenue was approximately \$1.2 million and this offset its direct expenses of approximately \$1.2 million. In addition to direct expenses, the Rose also has indirect expenses which are approximately \$500,000 - \$600,000 per year. This figure includes allocations from central university expenses to the Rose for administration, facilities, depreciation, etc. These indirect expenses for administration, which includes things like financial services, accounting office, development, the office of general counsel, and so forth, have ranged from \$100,000 to \$150,000 over the past several years. There is also a separate cost for insuring the collection that is not part of the Rose expenses. Direct expenses are funded from the assets and fundraising allocated to the Rose, but the indirect expenses and insurance premiums are not, they are funded by the University.

The economic downturn is impacting the Rose in the same way it is impacting all of the other University funds. The true endowment for the Rose was \$12 million in FY 2008, and is estimated to be about \$8 million on June 30, 2009 based upon a projected endowment return of -30%. There will therefore be a shortfall in the budget of the Rose due to the current economic environment. In addition to the economic hit, the Rose has also suffered due to the current turmoil surrounding it. Fundraising, gifts, memberships, and dues from the Board of Overseers will all be adversely impacted.

It is clear that the Rose operating budget is actually quite small and the issue initially raised about selling part of the collection was *not* about recouping the operating budget, it was about selling art works to address the University's financial difficulties. However, it is also clear that given today's economic environment, any recommendations this Committee offers must be in the context of a workable, self-supporting budget for the Rose moving forward. Be assured that we are continuing to ask questions and gather information on the budget and our findings will inform our recommendations.

2. Soliciting Feedback and Ideas

We are especially sensitive to the need for consultation and inclusiveness, so we have established multiple mechanisms for *community-wide* input, including an email address that members of the community may use to send ideas for the future of the Rose (rosefuture@brandeis.edu); an online forum <https://my.brandeis.edu/>, a private forum open to members of the Brandeis community only; and a town hall forum held on April 21st for Brandeis community members and attended by approximately fifty people.

We are currently also reaching out to a range of *targeted constituencies*, including, but not limited to the following:

- Faculty at large
- Fine Arts faculty and other faculty who interact with the Rose through their teaching and research
- Undergraduate and graduate students
- Students in the Fine Arts and other areas closely connected to the Rose
- Brandeis arts administrators and other arts-related staff
- External museum professionals
- Members of the Rose Board of Overseers
- Former Rose staff
- Rose donors
- Alumna/e

We have used an online survey to get information from the faculty at large, and we've formed subcommittees tasked with developing questionnaires, etc., that will be useful in reaching out to these other groups. We expect that the feedback and ideas we are soliciting will be critical in informing the recommendations we develop.

Our Faculty Survey has just been completed, and we have received some very preliminary analysis. Some of this analysis will provide us with useful (but not very nuanced) information about the current uses and views of the Rose. But we are pleased that many faculty members took advantage of the opportunity to express themselves (in a more nuanced way) in the 'open' questions, and a subcommittee will be looking at these responses and passing on interesting ideas and recommendations to the broader Committee.

The Committee thanks all those who have taken the time to communicate with us.

3. Assessing, Deliberating and Developing Options

We are not yet at the point at which we can articulate options for the future of the Rose. Our thinking is still evolving as we grapple with the nuances and complexities of the issues at hand, as we gather more information and ideas, and as we talk amongst ourselves. But we do understand that, although not desirable, it *is* possible to sell works of art for budget relief *and* to remain a public museum. We have been considering how best to go ahead on both these fronts.

SELLING ART FOR BUDGET RELIEF. Selling art to purchase other art is part of the normal life of a museum. Selling art to provide budget relief for the sake of the broader University violates professional standards of the museum world. Were such sales to occur, they would have serious consequences for the professional life and standing of the museum and its staff. On this front, we have been considering (i) what sorts of policies and tactical steps could strengthen the Rose to deal with this special vulnerability, and (ii) how to plan for and mitigate the damage to the Rose and its collection if and when such sales do occur.

THE FUTURE OF THE ROSE. The Rose and the University have been badly damaged by the events of the past months, and the museum may suffer further damage in the future. But the Rose is a museum of great distinction, and Brandeis continues to have a long-standing commitment to the arts as part of its mission. We believe that the University must do all it can to insure that the Rose remain a vibrant and distinguished part of the University, and it must in the coming period reaffirm in very concrete ways its commitment to the Arts. To that end, we are considering how the mission of the museum can be enhanced and maximized in the coming period. In this sense we are playing the role of a review committee, charged with making recommendations about the future of a unit of the University. We repeat a point made earlier: our work should not be seen as a response to something broken at the Rose. However, some have suggested that there are things about the Rose which could and should be changed and we are considering those suggestions. There have been and will be significant changes at the Rose, and it makes sense to do our best to be proactive. Along these lines, we have been posing questions to a number of local museum directors and to other museum professionals, and we will use their input as we begin discussing different ways that University museums are configured and governed relative to their parent institutions. We have also scheduled discussions about future donor relations and fundraising, marketing strategies, staffing alternatives, and so on.

4. The Final Report

Our charge states explicitly that we will not release our final report during the summer months. At the moment, we plan to meet extensively in the early parts of the summer and we anticipate releasing our Final Report for deliberation early in the Fall semester.