

NORTH DAKOTA

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**Sent from iPhone. Please forgive any typos or spelling errors.**

On Jun 26, 2018, at 11:55 AM, Emily O'Brien <[emilymarieobrien@gmail.com](mailto:emilymarieobrien@gmail.com)> wrote:

Chairman Morton and North Dakota State Board of Higher Education Members,

As a Legislator from the UND District, a former employee, and a UND graduate; I request that you not renew the contract for Mark Kennedy and consider dismissing him and his provost for creating a hostile work environment for employees, legislators and others. His unprofessional conduct and hostility towards influencers is conduct unbecoming of a university president, and I am among many who have no confidence in his ability to lead UND forward.

I am an alumnus of the University of North Dakota. I loved my UND experience so much, that I went back to school to assist in establishing a Masters in Entrepreneurship Program with encouraging faculty and staff- but unfortunately that new program was denied multiple times by the President and Provost. Several students from my hometown of Lakeville, MN followed in my footsteps, as they have the same passion for entrepreneurship as I do. Unfortunately, every one of those students transferred after their first semester or first year because of the lack of administration support of entrepreneurship. Entrepreneur faculty and staff were actively seeking job interviews at other Universities to get away from the hostile environment. A student reported faculty were anxious to leave UND because the professors do not feel supported, appreciated, realize difficulty in advancement, face intimidation, fear retaliation, and they are aware of the hostile work environment. It was - and is - clear to me that this hostile work environment is due to bad leadership at the top.

I worked for UND for 7 years as an undergrad, a graduate student and while I launched my professional career. I was passionate about working at the Center for Innovation helping startup, students, angel investors, and the State of North Dakota. Before I was elected as a member of the House of Representative from District 42, I applied for, interviewed, and was selected for a job promotion to be the State SBIR/STTR Director with the Center for Innovation. After my successful election - and during the legislative session - it took 6+ months for the Dean of the College of Business (Margaret Williams) and the Provost (Tom DiLorenzo) to approve my new job position and salary. The Provost stated that he "did not feel comfortable with my job promotion" and that he would like to

look more into this. It has all the signs of retaliation for defeating his favorite legislator Rep. Kylie Oversen, also the head of the Democrat Party. This unprofessional conduct went on while I worked full time in November and December and during the entire legislative session when I worked 20% time where I did not get compensated for multiple pay periods for the work I was doing. Denying a young person, a paycheck that is earned is unprofessional, and clearly a sign of a hostile work environment.

After I returned to my job after the legislative session in May 2017, I started to really feel I was a “targeted” employee because of my service in the Legislature. Faculty and staff would reach out to me asking how my job was going because the Provost made comments in their public meetings, such as, “Do you know what the two biggest issues are with higher education? 1. Freedom of Speech. 2. Republicans complaining too much about high education.” One colleague stated they are Republican and felt intimidated by the Provost. There was fear they would be targeted, treated differently, or their job would become very difficult. This is a hostile work environment.

I was targeted by the Provost when asked by him in a demeaning tone “So, what do you even do here?” He requested to have a 30-minute meeting with me explaining what I do. It was alarming to be warned by other faculty that department chairs and associate vice presidents who don’t have meetings with the Provost alone. They suggested I have an advocate and witness with me. I met with the Provost alone anyway as I thought I had nothing to fear as my evaluations for job performance were stellar. I showed him the documents where I was a lead in securing \$750,000+ of funding for my job and projects with the Center for Innovation. He questioned if this was difficult for me, or if I really knew what I was doing. That was insulting and demeaning. The Provost then requested that I create the Entrepreneur Resource Guide - a project under my two-year grant - demanding it be completed in 3 days. It was unrealistic to complete in 3 days as it required interviews with dozens of people in the entrepreneur ecosystem so I knew I was being set up to fail. I felt as if the administration was willing to do anything they could to build a case against me. My co-workers at the time said they noticed that I was targeted too. Two weeks later, I was pulled into a meeting with our Interim Center Director, Barry Horwitz – a close friend of Mark Kennedy’s - who demanded this same project be done within two weeks. Again, I told him that this was still unrealistic to complete in two weeks because of the extensive interviews required. The grant had a deadline of months in the future. He stated that “I met with The Provost and President Mark Kennedy who want this done in two weeks and if you do not want to be here, I would be more than happy to get you where you would like to go.” Clearly this is a hostile work environment, and unprofessional conduct.

President Mark Kennedy and Mr. Barry Horwitz worked together in 1993-1995 while Kennedy was CFO at Shopko and they have remained close associates since. President Kennedy started in July 2016, and in

August 2016, Barry Horwitz was hired as a consultant for the UND Strategic Plan efforts – but his hiring was not made public. The President and the Provost paid Barry \$80,000+ for his consulting work lasting a few short months. The Provost approved the hiring of Horwitz as Interim Director of the Center for Innovation, while he was living out of Boston, MA. His contract called for compensation of \$17,500/month for half time - or 80 hours a month - plus travel and expenses. This hefty compensation was approved when UND budgets were being cut continuously. Many on campus commented this is not what good leaders do and is not a good example of prudent use of scarce funds. I agree. So, should you.

I currently serve as a Representative for District 42 in Grand Forks, that encompasses the University of North Dakota campus. Our District 42 team does not have a good working or constructive relationship with the President or the Provost. We have met with President Mark Kennedy to discuss the observed need for relationship building and community engagement. Many citizens in our district and throughout the community still feel alienated, disengaged, disregarded, and not appreciated by the UND Administration. There is an undertone of hostility and dismissal. When the District 42 team met with Kennedy; we were dismissed, and communication is nearly nonexistent since. Kennedy has hosted numerous events in town where he has only invited the male staff from UND and male legislators to events, but NOT the women staff or legislators including myself. There are several instances where our local legislators were invited to University events with a 2 hour notice... or not invited at all. They may say we were invited, but we were clearly not wanted. UND cannot move forward with this inexcusable, unprofessional leadership that has destroyed any working relationship. These fences cannot be mended. Bad leaders do not become good leaders.

I have refrained from reaching out to the Chancellor or the Board of Higher Education because of various concerns of retaliation from the President and Provost at UND. They have struck out at many who dared question them or their priorities. It is important that the board diligently evaluate the type of leaders we want to be the face of the University of North Dakota. These are not easy decisions to make- but ignoring leadership problems does not solve problems. Kicking the can down the road will only cause more damage to staff, faculty, students and UND itself. If you are a resident of Grand Forks, you hear constantly there is no confidence, trust, or respect for the President and Provost. Campus morale is in the tank because of the bad leadership of the President and Provost. The community knows that. They wonder if the Board of Higher Education has the courage and credibility to make the needed change of leadership. I needed to speak up now, and tell my story, since I am among the many who believes UND needs new leadership immediately.

Respectfully,

Representative Emily O'Brien