**Subject:** Re: Editorial Position: Sakai Foundation Board Members should be from Higher Education
**From:** "Clay Fenlason" <clay.fenlason@et.gatech.edu>
**Date:** Thu, 06 Nov 2008 18:46:16 -0500
**To:** advocacy <advocacy@collab.sakaiproject.org>

I'd also have to say, having served on the Board, that each member
brings their own partisanship to the table - myself included - and
it's not clear to me that the sort that springs from a commercial
affiliate is any more dangerous than that which is drawn from a
particular type of institution. I think I could make a plausible case
for the insidious influence of the research institution in undermining
pedagogical primacy, for example (I can be harsh about that one since
it might be leveled against me), and so forth. The difference is made
by the candidate, more than who they represent. And part of the value
of their contribution is also found in that partisanship - that
distinct voice.

If that doesn't satisfy, I might also be reminded that there are over
100 member institutions and a handful of commercial affiliates. If
ever we feel ourselves falling under the wrong influence, there seem
to be clear mechanisms for restoring a different balance. Even
bloodless coups rising up from the do-ocracy.

Which also leads me to feel that Chuck has every right to this stump
speech. He's arguing for people to take certain things into account
in their voting. A fine subject for public debate.

~Clay

On Thu, Nov 6, 2008 at 5:55 PM, Sean Keesler <sean@keesler.org> wrote:
> Chuck,
>
> You say:
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>
> "Our commercial partners are very important to making Sakai available
> to organizations that do not have the technical expertise to be
> full-participants in the software creation process"
>
>
> Might it not be said that these schools are hoping to get a large ROI
> by using a commercial affiliate to advise them and represent their
> interests to the community?
>
> Would you object to these schools voting for a representative from
> their chosen vendor to represent their interests? Wouldn't their
> interests be interests of a larger cross section of higher ed than
> someone from a single institution?
>
> Just thoughts.

>
> Sean
>
> On Thu, Nov 6, 2008 at 4:03 PM, csev <csev@umich.edu> wrote:
>> This is only my own personal editorial opinion. I wanted to share it
>> before
>> the nominees for the Sakai Board are announced.
>> I would like to suggest that we choose to elect board members exclusively
>> from higher education and choose not to elect anyone from a for-profit
>> company. At some future point, my opinion is that we may even want to
>> amend
>> our bylaws to this effect. But for now, I think that it is sufficient for
>> the Sakai Foundation voters to simply choose to elect board members from
>> higher education. I am making this suggestion to insure that the core
>> values
>> of the Sakai Foundation focus on the nurturing of the Higher Education
>> backbone of the Sakai community. Much of the reason that Sakai was formed
>> was to insure that the higher education community has an alternative to a
>> commercial product. At the same time, we chose an open source license
>> (Apache-style) which is as commercial-friendly as possible to encourage
>> the
>> broadest possible commercial ecosystem around Sakai. We consciously wanted
>> to give companies large and small an opportunity to make money off and add
>> value to the Sakai intellectual property. Our commercial partners are very
>> important to making Sakai available to organizations that do not have the
>> technical expertise to be full-participants in the software creation
>> process
>> - and it is completely healthy for companies to make money off services
>> around Sakai. However, these companies have a core purpose - to make
>> money.
>> The Universities which contribute nearly all of the intellectual property
>> which makes up Sakai - set their priorities based on their institution's
>> needs. A company which is monetizing Sakai will set priorities based on
>> how
>> *their particular company* can best monetize Sakai. Different companies
>> will
>> likely have different views as to what is the most important task to
>> maximize profit for one particular company. It is fine for companies to
>> have
>> these priorities - it is *not fine* for these priorities to find their way
>> into the Sakai Foundation's priorities through the Board of Directors.
>> Having one or two companies on the Sakai board allows those companies to
>> influence the investment of Sakai Foundation resources based on the
>> priorities of those companies with board seats. To be fair we should
>> either
>> allow all commercial partners to be on the board or have none of the
>> partners be on the board. I prefer the option of "no commercial partners"
>> on
>> the Sakai Foundation Board. This is not about particular individuals or
>> even

>> particular companies - individuals can try to (and claim to) think
>> independently from the context of their needs to monetize Sakai - but in
>> the
>> final analysis - it is not possible to expect any person who is a
>> principal
>> in a commercial partner to completely ignore the needs and priorities of
>> their company when participating on a board. What worries me is if we get
>> to
>> the point where a significant fraction of the board (or even 100% of the
>> board) seats are held by companies. The Sakai Foundation will naturally be
>> encouraged to move from its care-taking and community building role into
>> becoming a "vendor" for software. And while this might seem "comforting"
>> in
>> the short term to schools which wish there were paid Sakai Foundation
>> developers to fix bugs - if we evolve Sakai into a commercial vendor
>> (albeit
>> nonprofit) - we will have (by our own hands) once again lost control of
>> our
>> own destiny. These culture changes are slow and barely noticeable over
>> time
>> - we only notice that things have changed after it is too late to undo the
>> cultural change. We must keep the Sakai Foundation higher-education
>> centered
>> and non-commercial in its focus. We do this by electing Foundation board
>> menbers from higher education. I am sure these comments will be taken the
>> wrong way - I do not mean to under-value the contributions we have
>> received
>> from the Sakai Commercial Partners. Our commercial partners are all pretty
>> wonderful folks and are great promoters of Sakai around the world - many
>> of
>> the folks from the commercial companies are my personal friends - I want
>> them all to succeed. Many of them are making some decent money on Sakai -
>> that is great - it is part of the rich, diverse, and healthy commercial
>> ecosystem around Sakai! I further think that the Foundation and Community
>> very much *need input* from the commercial partners. However we need to
>> get
>> input from *all* the partners and take that input in a forum where (a) all
>> commercial partners have an equal opportunity to influence direction and
>> (b)
>> where the commercial partners are simply giving advice to the Foundation.
>> I
>> suggest that we need a Commercial Partner Advisory board which includes
>> all
>> commercial partners and meets 1-2 times per year. I would further suggest
>> that the Foundation Board and Commercial Partners meet together with
>> Michael
>> as part of a regular strategic planning effort. This allows the strategic
>> planning for the Sakai Foundation and Community to be done in a broader
>> and
>> more open manner - and in particular - it allows the Sakai Foundation

>> Board
>> to focus on the very important but narrow responsibility to properly
>> operate
>> a non-profit corporation. So my suggestion to all of the voting members of
>> the Sakai Foundation is to "Vote Higher Education" - to reaffirm the fact
>> that we are a community of higher education institutions who have banded
>> together to share the load of innovating in teaching and learning and
>> collaboration. While we are committed to being extremely commercial
>> friendly
>> in our processes, licensing, and governance - the Sakai Foundation must
>> not
>> play favorite to any of our commercial partners - they must all compete on
>> an equal footing - without the benefit of a board seat given to one or two
>> particular commercial organizations. Thank you for listening to my
>> personal
>> opinions and as always your comments are welcome.
>> /Chuck
>>
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