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# Shared Governance in Perilous Times

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# Welcome to Our Webinar

- In this webinar, we will review **general principles** of shared governance and comment on their **applicability** in the current **pandemic**.
- Because of the recent significant **increase in interest** in our webinars, we are replacing the Q&A portion of the webinar with **breakout sessions**.
- The sessions will be led tomorrow by members of the AAUP's **Committee on College and University Governance**.

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# Statement on Government of Colleges and Universities

- Since its founding, the AAUP has advocated for **meaningful participation** of the faculty in institutional **decision-making**.
- The **authoritative** formulation of principles of shared governance is set forth in the *Statement on Government of Colleges and Universities*.
- That statement was **jointly formulated** with the Association of Governing Boards and the American Council on Education.

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# Statement on Government of Colleges and Universities

- Is **not** intended “as a blueprint for governance.”
- Contains **principles** that can “lead to the correction of existing weaknesses and assist in the establishment of sound structures and procedures.”
- Has been **supplemented** over the years by a series of **derivative** policy statements.

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# Statement on Government of Colleges and Universities

- The relationship between institutional components calls for **adequate communication** among these components, and full opportunity for **appropriate joint planning and effort**.
- “**Distinction** should be observed between the institutional system of **communication** and the system of **responsibility** for the making of **decisions**.”

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# Statement on Government of Colleges and Universities

Recommends “shared” or “joint” governance because:

“a college or university in which all the components are **aware of their interdependence**, of the **usefulness of communication** among themselves, and of **the force of joint action** will enjoy increased capacity to solve educational problems.”

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# Statement on Government of Colleges and Universities

Calls for shared responsibility among the different components of institutional government and specifies areas of primary responsibility for governing boards, administrations, and faculties, because:

“The **variety** and **complexity** of the tasks performed by institutions of higher education produce an **inescapable interdependence** among governing board, administration, faculty, students, and others.”

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# Statement on Government of Colleges and Universities

Appropriate joint planning and effort means **all** components get to participate:

“...important areas of action involve at one time or another the initiating capacity and decision-making participation of **all the institutional components...**”

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# Statement on Government of Colleges and Universities

Appropriate joint planning and effort requires participation **depending on the degree of responsibility:**

“...differences in the weight of each voice, from one point to the next, should be determined by reference to the responsibility of each component for the particular matter at hand...”

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## On the role of the Governing Board

- Possesses **final** decision-making authority.
- “The board should undertake **appropriate self-limitation.**”
- While “maintaining a **general overview,**” it
  - ✦ **entrusts** the conduct of administration to the **administrative officers.**
  - ✦ **entrusts** the conduct of teaching and research to the **faculty.**

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# On the role of the President

- “The president’s work is to **plan**, to **organize**, to **direct**, and to **represent**.”
- Makes sure there is “**effective communication**” between components of the institution.
- Ensures that the **operation of the institution** “conforms to the **policies** set forth by the governing board and to **sound academic practice**.”
- Should be “**equally qualified**” to serve both as the **executive officer** of the governing board and as the **chief academic officer** of the institution and the faculty.
- Should have the **confidence** of the board and the faculty.

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# On the role of the Faculty

Essentially, the faculty has **responsibility** (voice and decision-making authority) for matters in **proportion** to the degree of their expert **knowledge**. Therefore...

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# On the role of the Faculty

“The faculty has **primary responsibility** for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process.”

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# On the role of the Faculty

“Faculty status and related matters are **primarily a faculty responsibility**; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal.”

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## What does “primary responsibility” really mean?

“On these matters the power of review or final decision lodged in the governing board or delegated by it to the president should **be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty.** It is desirable that the faculty should, following such communication, have opportunity for further consideration and further transmittal of its views to the president or board.”

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# What does “primary responsibility” really mean?

In areas of faculty primacy, boards and presidents should “concur with faculty judgment **except in rare instances** and for **compelling reasons** which should be **stated in detail.**”

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## On Representation and Confidentiality in Governance

- “**Faculty representatives** should be **selected by the faculty** according to procedures determined by the faculty.”
- Faculty bodies should establish **expectations** for conduct of faculty representatives: at a **minimum**, faculty representatives need to **inform** their constituents and **seek** their input.
- The use of **confidentiality agreements** or mandates as a **condition** for participation in shared governance is **incompatible** with serving as a faculty representative.

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# Statement on Government of Colleges and Universities

In areas where the faculty doesn't have primary responsibility, the faculty still participate in decision-making. These areas include:

- ✓ Long range planning
- ✓ Hiring and evaluation of administrators
- ✓ Physical plant
- ✓ Budget

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# The Role of the Faculty in Budgetary and Salary Matters

- “The faculty should **participate** both in the **preparation** of the **total** institutional budget and ... in decisions **relevant** to the further **apportioning** of its specific fiscal divisions.”
- “[A]n **elected representative committee** of the faculty [should] participate[] in deciding on the **overall allocation** of institutional resources and the **proportion** to be devoted directly to the academic program.”
- “Budgetary decisions **directly affecting** those areas for which, according to the Statement on Government, the faculty has **primary responsibility** ... should be made **in concert** with the faculty.”

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# Principles of Academic Governance during the COVID-19 Pandemic

- “Under the *Statement on Government*, decisions to revise (even if only temporarily) tenure and promotion procedures and standards, to elect a preferred method of delivering courses, or to replace letter grades with pass-fail or incomplete designations fall within the **faculty’s area of primary responsibility.**”
- “Even in areas in which the faculty does **not** exercise primary authority—such as whether and how to reopen campus, budgetary matters, and long-range planning—**the faculty still has the right**, under widely observed principles of academic governance, **to participate meaningfully.**”
- “**No important institutional decision** should be made **unilaterally** by administrations or governing boards.”

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# Governance Principles and Surveys

- AAUP principles on academic freedom and tenure are **highly specific** and intended to be adopted with **very little variation**.
- AAUP principles on shared governance are much more **general** and expected to be implemented **in a variety of ways**, depending on size, mission, control, history, etc., of the institution.
- Given the wide variation in governance practices, there has been a **longstanding** interest in using **surveys** to investigate these practices.
- Governance surveys can address two different questions: **how prevalent** are certain kinds of practices and **how closely** do institutions adhere to AAUP governance principles?

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# Faculty Governance Areas

## **Academic**

- Curricular decisions
- Degree requirements
- Degrees offered

## **Personnel**

- Faculty appointments
- Conferral of tenure
- Salary scales
- Individual salaries

## **Administrative**

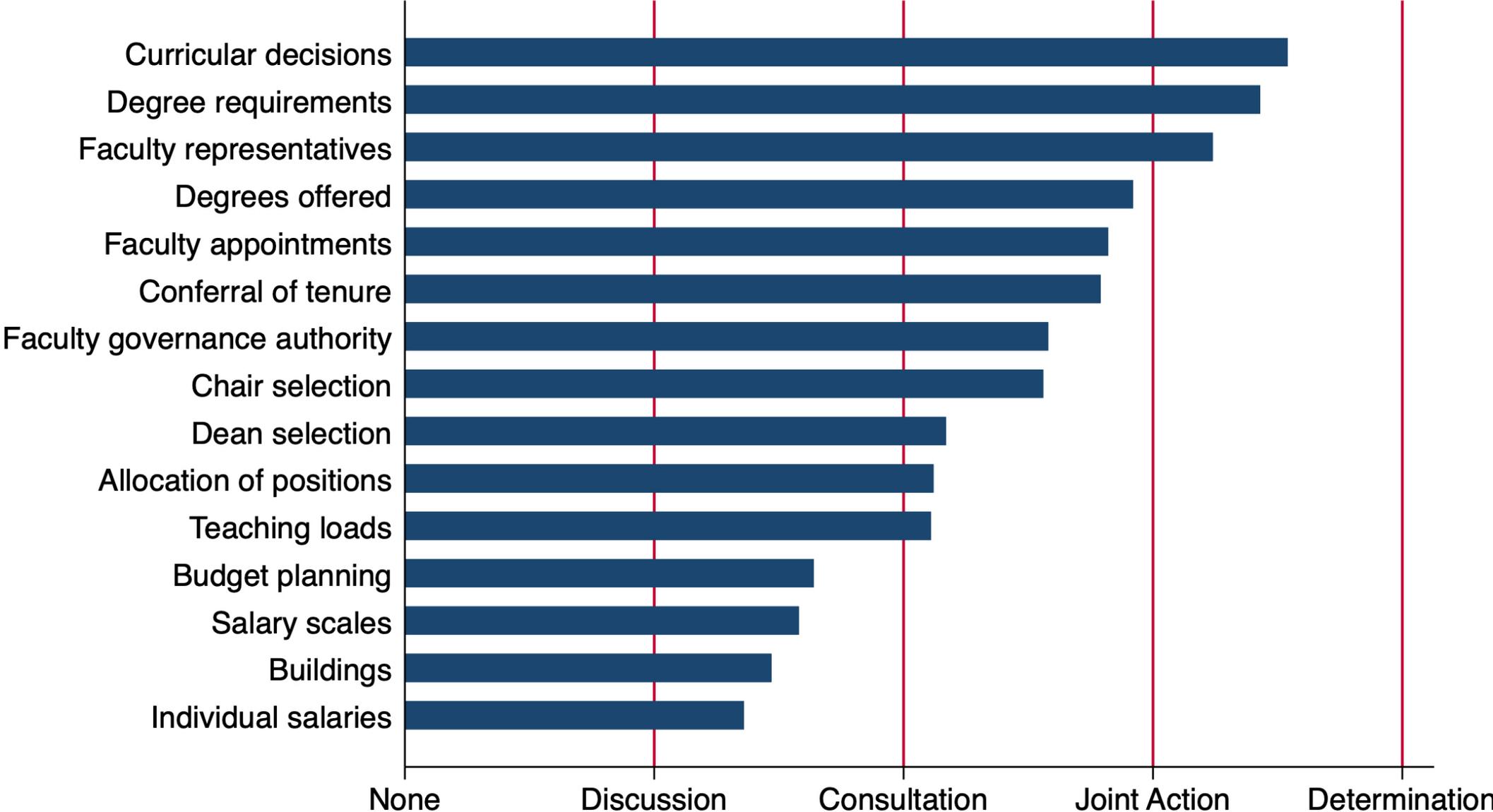
- Allocation of positions
- Buildings
- Teaching loads
- Dean selection
- Chair selection
- Faculty governance authority
- Faculty representatives
- Budget planning

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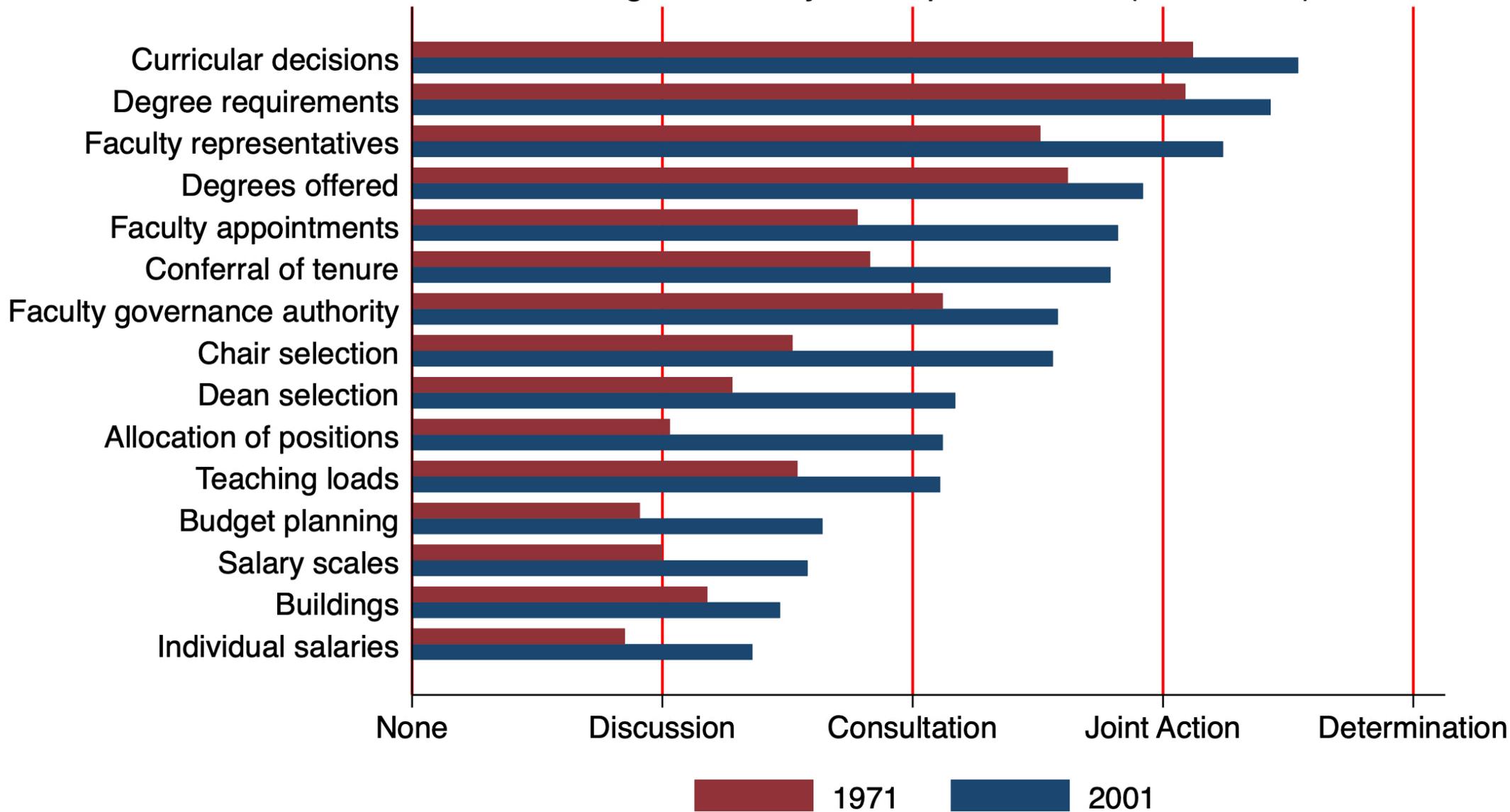
# A Hierarchy of Levels of Faculty Participation

- **Determination:** Determination means that the faculty have **final** legislative or operational **authority**.
- **Joint Action:** Joint action means that **formal** agreement by **both** the faculty and other components of the institution is **required**.
- **Consultation:** Consultation means that there is a **formal** procedure which provides a **means** for the faculty to present its **judgment** in the form of a recommendation or vote.
- **Discussion:** Discussion means that there is only an **informal** expression of **opinion** from the faculty or from individual faculty members.
- **None:** None means that there is **no** faculty participation.

# Faculty Participation Index (2001)



## Change in Faculty Participation Index (1971-2001)



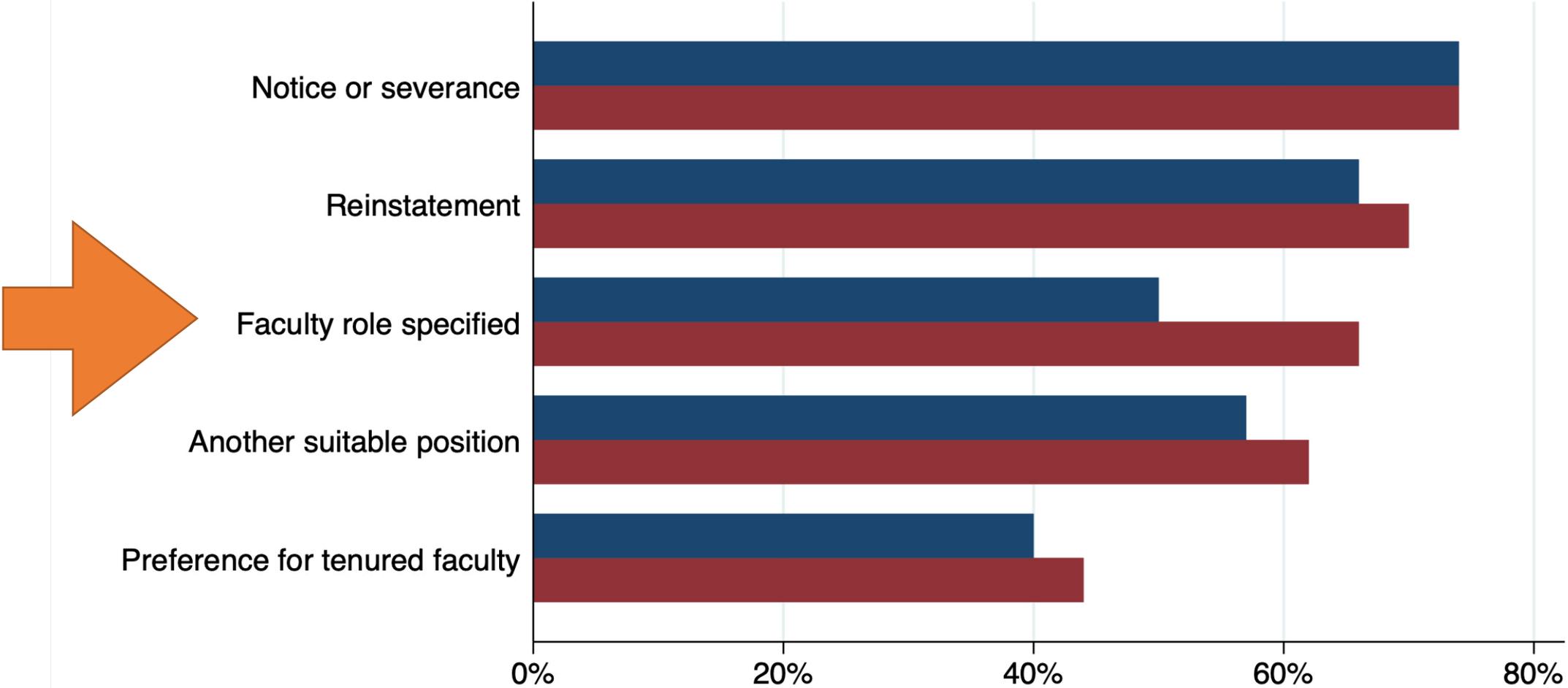
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# Role of the Faculty in Condition of Financial Exigency

- “There should be **early, careful, and meaningful faculty involvement** in decisions relating to the reduction of instructional and research programs. The financial conditions that bear on such decisions should not be allowed to obscure the fact that **instruction and research constitute the essential reasons for the existence of the university.**”
- “Judgments determining **where within the overall academic program** termination of appointments may occur involve considerations of **educational policy**, including affirmative action, as well as of **faculty status**, and should therefore be **the primary responsibility of the faculty** or of an appropriate faculty body.”

Change in Prevalence of Provisions in Financial Exigency Regulations

2000 2020

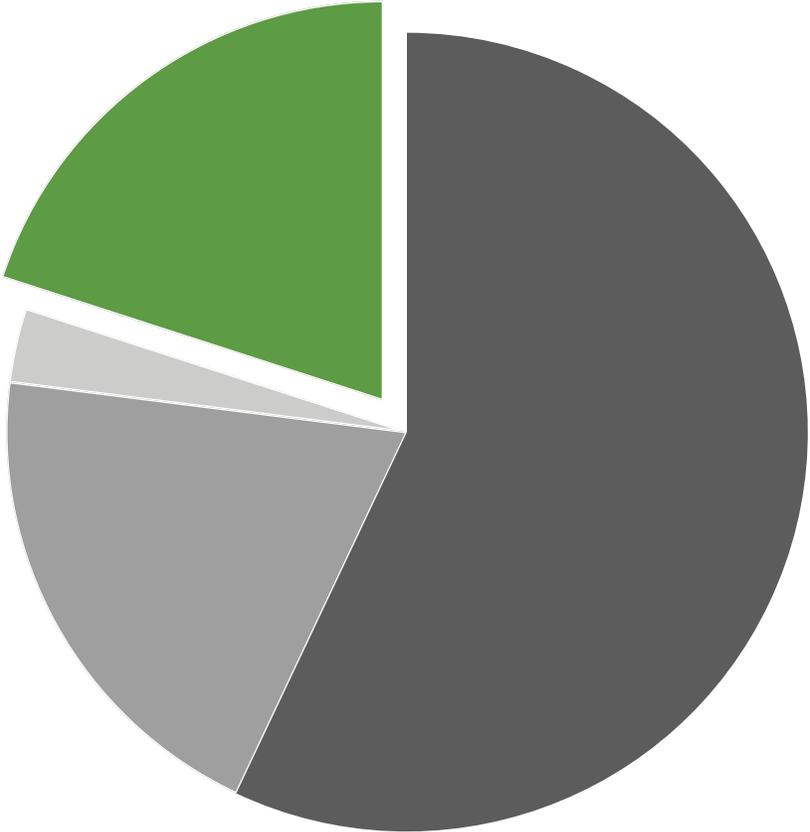


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# The Inclusion in Governance of Faculty Members Holding Contingent Appointments (2012)

- “Institutional policies should **define** as ‘faculty’ and **include** in governance bodies **at all levels** individuals whose appointments consist primarily of teaching or research activities conducted at a professional level.”
- “Eligibility for **voting** and **holding** office in institutional governance bodies should be **the same for all faculty** regardless of full- or part-time status.”

# Participation in Governance is...



- ...based on full-time status.
- ...based on rank/tenure.
- ...based on bargaining unit membership.
- ...unrestricted (incl. part-time).

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# Misconceptions about governance

- Shared governance is **not** the idea that **all** important decisions are put to the entire faculty for a vote.
- Shared Governance is **not** the idea that a lot of conversation ought to take place within and among various campus groups—board, administration, faculty, staff, students, etc.—before the people in power make the final decision.
- Shared governance is **not** the idea that each of the various campus groups have exclusive authority over different areas of decision making.

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# Misconceptions about governance

- Shared governance is not limited faculty participation only when times are good:

“Relevant AAUP-supported policies—most notably those that recognize the special challenge of ‘financial exigency’—**are sufficiently broad and flexible to accommodate even the inconceivable disaster. These policies have, in fact, been successfully invoked** (as documented through AAUP experience) **by institutions in situations that, while perhaps not matching the gravity of those in New Orleans in fall 2005, surpassed in severity those imagined**” by the authors of these policies.

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Thank You!

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