

SECTION: 15

DATE:

March 20, 2007

BOARD OF REGENTS
EASTERN MICHIGAN UNIVERSITY

RECOMMENDATION

MONTHLY REPORT
FACULTY AFFAIRS COMMITTEE

ACTION REQUESTED

It is requested that the Faculty Affairs Committee Agenda for March 20, 2007 be received and placed on file and the Minutes of the November 14, 2006 meeting be received and placed on file.

STAFF SUMMARY

The tentative topic for the March 20, 2007 Faculty Affairs Committee meeting is a report on Shared Governance.

FISCAL IMPLICATIONS

There is no fiscal impact.

ADMINISTRATIVE RECOMMENDATION

The proposed action has been reviewed and is recommended for Board approval.

University Executive/Officer
Provost and Vice President for Academic Affairs

Date

EASTERN MICHIGAN UNIVERSITY

Board of Regents

Faculty Affairs Committee

March 20, 2007

1:45 – 2:30 p.m.

205 Welch Hall

AGENDA

Regular Agenda

Section 14

Monthly Report and Minutes (*Regent Ahmed, Chair*)

Status Report

REPORT: “Shared Governance”

Presentation (20 minutes)

Q&A (5 minutes)

Statement/discussion (AAUP) (5 minutes)

Statement/discussion (Faculty Council) (5 minutes)

Open discussion (10 minutes)

EASTERN MICHIGAN UNIVERSITY
BOARD OF REGENTS

FACULTY AFFAIRS COMMITTEE MINUTES

November 14, 2006
12:45 – 1:30 p.m., 205 Welch Hall

Attendees(seated at tables): Regent Rothwell (Chair), Regent Valvo, Regent Rothwell, D. Barton, H. Bunsis, M. Evett, C. Gould, L. Lee, P. Leighton, Provost Loppnow, S. Moeller, S. Norton

Guests (as signed in): S. Abraham, D. Barton, D. Bennion, P. Buchanan, R. Cheng, M. Evett, L. Findlay, R. Hanna, H. Höft, L. Lee, P. Leighton, B. Lindke, R. Longworth, M. Marz, K. McKanders, D. Mielke, R. Neely, S. Norton, J. Olson, C. Schaffer, D. Tanguay, B. Warren, P. Williams, R. Woody

Regent Rothwell opened the meeting by saying that when she was notified that the topic was going to be shared governance, she was concerned because this is covered by the collective bargaining agreement. She stated strong support for preserving the integrity of the bargaining process, therefore she called for both the administration and the faculty to help make sure that no discussion that will interfere or compromise the integrity of the bargaining process. In the sense of openness and disclosure, she also expressed disappointment that shared governance is included in the collective bargaining agreement rather than in a separate letter of understanding, where there would be more flexibility for adjusting it over time. However, she made it clear that she is not encouraging anyone involved in the bargaining process to try to negotiate it out.

REPORT: "Shared Governance"

Don Loppnow, Provost and Vice President for Academic Affairs, introduced the topic of shared governance both to better understand the process and its place in higher education, and to open the floor for conversation and perspectives about it. Provost Loppnow welcomed *Dr. James Perley*, and briefly described his background and qualifications as a person who helps universities and faculty members around the country with dispute resolution.

Dr. Perley stated that the charge he was given for today's presentation was to take a look at the idea and the definitions of collegial governance as a phenomenon, as well as the history and the consequences of good collegial governance, or the consequences of bad collegial governance when it occurs.

Dr. Perley began the presentation proper with American Heritage Dictionary definitions of the words "collegial" and "governance." The definitions can be summed up as "power shared for managing and running institutions." The history of collegial governance goes back a long way, to the thirteenth century. Universities at that time (until the nineteenth century) were small and elitist and taught those of the privileged classes. They were funded by private sources and endowed by the wealthy. The faculty decided the curriculum, and administrators were not needed because the faculty didn't want any discussion or criticism of how the institutions were run. The model began to change in the nineteenth century as the origin of research universities really changed the nature of those institutions. In the US specific disciplines were mandated and research became a driving force, which further contributed to the evolving nature of universities. Around the end of World War II, emphasis was placed more on the conduct of foreign policy in relationship to the government, and funding sources changed. With those changes occurred much broader access for the population as a whole, and so the communities of people who were served by universities became much less elitist. With the additional layers of responsibility that were

applied to universities, in terms of dealing with the government and the different funding sources, the ranks of the administrators began to grow. What had been totally faculty-centric institutions in management, became much more complex. Many more financial responsibilities occurred that had to do with non-academic types of issues. There was an increased rate of movement away from serving only the elite.

In the 1960s it suddenly became clear that division of responsibilities was unclear and needed to be defined. At that time, the AAUP, in connection and collaboration with the Association of Governing Boards and the American Council of Education, addressed the issue of what the roles of each constituent part of the higher education community were. They formulated the Statement on University and College Government, which can be found in the Red Book. Generally, the statement defines a whole series of entities that are involved in universities and colleges, including the president, the faculty, and students. It assigns to each one of those bodies specific responsibilities for the management and conduct of the university or college. These definitions provide list areas of *priori* responsibility, but are not exclusive. However, the power to initiate discussions in those areas belongs to the body that has primacy in terms of its responsibility. The statement mandates that whenever there is such a charge, that there be communication by all bodies involved. It's a very flat institutional governance structure, and is a very different model from that prevalent in business or industry. The particular body that has special responsibility is the body that has primacy in making recommendations in a given area. But there has to be communication between and among all members of the constituencies, and that is what is meant by shared governance.

Undergirding the whole notion of shared governance are several very important concepts. One is that there be communication – without effective communication between constituent parts, there can be no effective collegial governance. Another critical component is the sense of respect that has to be there on the part of all components of the institution for all other parts of the institution. Without that the whole system tends to deteriorate. Collegiality has another meaning to Dr. Perley, which he understands from his academic perspective. It means disagreeing vehemently sometimes in discussions and debates about issues that people care deeply about. But in those discussions, listening to the arguments of others can cause modification of strongly held opinions, and so those discussions and debates should not be shied away from. They are part of the responsibility of an academic institution.

It is difficult to speak to what happens with good governance. The reason this is difficult is that when there is good governance, it is not obvious. Problems are dealt with in a collegial manner. It's when there is bad collegial governance that there is clear evidence of conflict and difficulty. Collegial governance is a construct of good universities, and in Dr. Perley's opinion, defines what excellent universities are. He strongly urged that it be the model that colleges and universities adopt.

In response to a question, Dr. Perley stated that there is always a blurred line between the functions, and that is often the subject of good debate between constituent parts about who has authority and responsibility in certain areas. At EMU we deal with collective bargaining as a way to structure collegial governance, and it is a mechanism by which collegial governance can be attained. The goal of the process is mutual involvement and agreement. Controversial issues and relationships should constantly be reexamined and debated, so complete agreement is not to be expected or welcomed. Dr. Perley is not controversy-adverse. Definitions are part of what we work toward refining. We do that by constant communication with each other and sometimes agreeing to disagree.

In response to another question, Dr. Perley agreed that it is the responsibility of all levels to raise concerns. Those concerns need to be brought out. If they are not on the surface and visible, then they fester, and they can produce nothing but toxins.

Regent Valvo asked if Dr. Perley had experience with universities where the administration was tightly controlling the information that reached deans or boards and that trust was broken – do you have experience with rebuilding trust, or information about tools that can be used to create open dialog? Dr. Perley replied that this speaks to the mediation side of his work; he has done mediation in situations like this and has seen it work. It's difficult depending on where in the process mediation begins. If it happens early, then it's easier to reach a resolution. If it happens later, particularly after attorneys become involved, then it becomes adversarial, and when that happens it is much more difficult to deal with, but it still is possible. The best interest of the institution is really at the core of each component's thinking, and the important thing is to find where that common ground is.

Dr. Perley was asked to address what was called a problematic aspect of his presentation, which is a flat system of governance amongst constituencies. The reality is faculty status as an equal partner in governance has eroded in the face of the administrative hierarchy. We've gone historically from a situation in which a university was defined as its faculty to a situation in which faculty sometimes feel like an embarrassing necessity. Dr. Perley agreed that there have been shifts over time, and some of those have been the fault of the constituencies being spokespersons for their own point of view. The university is also an evolving model where there are sets of responsibilities that still belong to the faculty, for example. It's the primacy of those concerns that gives the power in those areas to the people who are involved in them. There is power and it's vested differently in different constituencies. What is untenable is situations in which there is a presentation of only one side, or there is only one way to talk to somebody, without response. Those are very difficult situations because they lead to conflict.

Though Dr. Perley mentioned that communication is one of the key elements in shared governance, it was remarked that it seems important to specify that this needs to take place between duly elected representatives. Obviously conversations don't have to be limited to that, but shared governance doesn't mean that you arbitrarily pick out a couple of faculty members to talk to and call it shared governance. Dr. Perley responded that there are a variety of ways to have points of view represented. He agreed that elected faculty representatives are the chief way that communication is transferred, but is not the only way. In providing an example of faculty and regents having a system of meeting independent of administrators, Dr. Perley opined that the more the regents and faculty get to know one another without administrative interference or intervention, the better everybody is.

Regent Rothwell thanked Dr. Perley, and gave the floor to *Dr. Howard Bunsis, EMU-AAUP President*. Dr. Bunsis began by respectfully disagreeing with Regent Rothwell's stated preference for having collective bargaining not be a part of the contract proper, and then began his presentation. Please refer to the attached handout of the presentation for details. Dr. Bunsis pointed out that of the three models of faculty participation in decision-making, EMU has a mixture of all three, while Dr. Perley concentrated on the first (fully collaborative). Dr. Bunsis' presentation described the various avenues for faculty input, culminating in Department Input Documents (DIDs) and Department Evaluation Documents (DEDs), and he highlighted the extensive review that all input receives. The university is so committed to objective criteria within DEDs that subjectivity rarely comes into play as far as hiring and promotion. Despite some conflicts, examining the promotion history at EMU over the past several years gives little cause for consternation between faculty and administration over who should be hired, and what consternation there has been has not been due to personality. This is one of the things that is attractive about the governance system at EMU.

Dr. Daryl Barton, University Faculty Council President, began by pointing out that contrary to Dr. Bunsis' assertion that the Faculty Council came into being in the 1978 AAUP contract, archived documents show that the Faculty Council predates the AAUP, and when the AAUP came in there was a division in what the roles were. She then introduced *Dr. Sandy Norton, Chair of the Faculty Council Executive Committee for Student Issues*.

Dr. Norton thanked Dr. Perley for the historical perspective he brought to the discussion of shared governance, and said that she feels strongly that we need to think about the ways in which our system of shared governance is not flat, and that we give value to certain constituencies over other constituencies. That has very intense ramifications for the university and for our students, to the extent to which lack of valuing the faculty member may undermine the academic relationship between students and faculty. In the contemporary American university more and more of the administration is concerned with issues other than academic affairs. As a result, many administrators who do not come from the faculty often have very little idea of what goes on in the classroom. Though Dr. Norton said she wouldn't want a member of the board or the administration to come into her classroom to tell her what to teach, she often wishes that a member of the Board or the administration would come into the classroom to see what goes on there and what our students are actually like. Many administrators and past Board members seem to feel that faculty are rather strange people and it's difficult to understand why anyone would chose this career. This leads to a sense that faculty are vague beings that aren't very good at making important decisions about things. We need to talk a lot about the historical development at the university and the ramifications of that development for where we are today. Again and again we hear the university talked about as if it were a business. There are reasons why that is a good model, but there are many reasons why that is not a good model at all. We need to talk about this, and faculty are in a position to point out to administrators and to the Board the many ways in which the corporate model is not an effective model for a university. Shared governance is what provides us with the structure that allows us to do that. Dr. Norton spoke out against the distributive decision-making model, because there are many ways in which those responsibilities overlap. There are decisions that can be made by administrators that from an academic perspective are very unlivable, but we need to be talking to each other in order to see this. Shared governance would allow us to make decisions in a much more intellectually responsible way, and this is what we are trying to teach our students.

Dr. Matthew Evett, Faculty Council Vice President, presented next. He began by saying that at many universities there is bound to be some tension between faculty and administration. Unfortunately this tension is exceptionally strong here at EMU. Shared governance can play an important role in reducing this tension, because if faculty feel that they hold a significant part in setting the policies that affect them and their students, potentially poisonous us-versus-them attitudes could be lessened. He urged the faculty and the administration and the Regents to continue their commitment to shared governance.

Dr. Evett was followed by *Dr. Lidia Lee, Chair of Faculty Council Academic Issues*, who said that shared governance has worked sporadically at EMU. It is not in our culture yet to have shared governance. It is clear that shared governance has only worked when both parties wanted it to work. Shared governance should be based on sharing of information, respect, and participation on all sides. Until the administration gives its consideration to the value of faculty input, there is no true shared governance.

Dr. Barton next read from a selection of articles related to shared governance; the web sites that were her sources are attached.

Dr. Bette Warren next urged that AAUP red books be distributed to the Regents if they don't have them. In that book, the joint statement on government of colleges and universities is the foundation of the Faculty Council by-laws, which were agreed to by the Provost at the time, so that is a joint agreement. This is how we academically see that things should work.

Regent Valvo pointed out that an orientation procedure for new Regents has been created which is a full day meeting with various constituents on campus. The red book would be an excellent tool for that orientation. Dr. Warren concurred that it would at least give a view of how faculty and the academic administration see their roles.

Monthly Report and Minutes (Section 19)

The minutes were not discussed.

Regent Rothwell then thanked all assembled, and adjourned the meeting at 1:40.

Respectfully submitted,

Akosua Slough, Administrative Associate to the Provost
Academic Affairs

(E:/Ristau/BoardReg/Minutes/FAC_11142006.doc)

Shared Governance

EMU-AAUP

November 14, 2006

1

A University is not a Corporation

- Therefore, the governance of a university is based on the concept of shared governance
- Minnesota State Board for Community Colleges v. Knight (1984): *"there is a strong ... tradition of faculty participation in school governance, and there are numerous policy arguments to support such participation... Faculty involvement in academic governance has much to recommend it as a matter of academic policy."*

2

Three Models of Faculty Participation

- Fully collaborative decision-making (the most popular model). This is a collegial model of governance, where the faculty and administration make decisions jointly and consensus is the goal.
- Consultative decision-making, where the faculty's opinion and advice is sought but where authority remains with the senior administration and the board of trustees. This model revolves around information sharing and discussion rather than joint decision-making.
- Distributed decision-making, with faculty having full authority in some areas and the administration and board in others.

3

Shared Governance and Collective Bargaining

- Article XIII of the 2004-2006 EMU-AAUP Contract, titled **Faculty Participation in Governance**
- MP 370: *"Recognizing the necessity for meaningful Faculty involvement in the areas of selection and evaluation of Faculty Members, curriculum development, and utilization of financial resources."*
- This article delineates the structure and process for "mindful participation by the faculty...with an assurance of procedural regularity and fair play." In practice, this system is often referred to as "**faculty input**," and the word input appears 16 times throughout Article XIII
- Two major components of the faculty input system:
 - Faculty Council
 - Department and College Committees

4

Faculty Council

- The Faculty Council came into being in the 1978 EMU-AAUP Contract.
- A key provision of its authority is that when contractual faculty input is required, “faculty representatives on all university-wide committees, commission, councils, or task forces shall be selected or appointed by the Faculty Council (MP389).”
- The Council is to provide “recommendations to the Provost and VP for Academic Affairs, with copies to the AAUP, on all credit producing areas and instructional matters.” (MP 387)
- The Faculty Council By-Laws set out a system for providing recommendations and operational guidelines, as approved by the Council, the Provost and the AAUP (MP388).

5

Department and College Committees

- Provide a system for Faculty input in the areas of personnel, instruction and finance.
- The mechanism for this input is through “Input Documents” in each department, college or division, including the University Library (MP 372).
- These documents must:
 - Be approved by a majority of the Bargaining Unit Members in the department or college concerned (MP 380)
 - Reviewed by the AAUP
 - Reviewed by the Assistant VP for Academic Affairs
 - Approved by both the Dean or equivalent administrative agent and the Provost and VP for Academic Affairs

6

DIDs and DEDs

- DID: Department Input Document. The contract, in MP 469 states: "Each department shall conduct Faculty evaluations using procedures, techniques, and criteria specified in its Departmental Evaluation Document developed and/or subsequently modified in accordance with the Faculty input system as provided for in Article XIII."
- DED: Department Evaluation Document.
 - Govern Faculty evaluations, stating specific procedures, techniques and criteria to be used (Article XV).
 - Article XIII also creates a Standing Committee on Departmental Evaluation Documents, comprised of four representatives from the AAUP and four representatives selected by EMU, to review all revisions to existing documents or recommendations to create new Documents (MP398-400).
 - A majority vote of the Standing Committee is required to approve any DED changes (MP 405).

7

Conclusions

- Faculty governance at EMU is a mix of the three models :
 - Full collaboration: When the principle of peer review of appointment, promotion, and tenure for faculty is preserved. The Contract provides that departments and administrators are to evaluate faculty based on DED criteria developed through the input system and approved jointly by the AAUP and the administration via the Standing Committee on DEDs.
 - Consultative decision-making: Demonstrated by the official input role of the Faculty Council in selecting faculty representation on university-wide committees and in making recommendations to the Provost on all credit producing and instructional matters.
 - Distributive decision-making: Most apparent in areas requiring "academic freedom" – which is a topic for another day.

8

Some websites worth looking at:

1. Shared Governance in Colleges and Universities

www.aft.org/pubs-reports/higher_ed/shared_governance.pdf -

2. The Critical State of Shared Governance

www.aaup.org/publications/Academe/2002/02ja/02jasco.htm

3. Eastern Washington University – a model of shared governance

www.ewu.edu/x15044.xml