Shared Governance and Faculty Handbooks

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Shared Governance

● 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 of Universities and Colleges (AGB) and the American Council on Education (ACE).
Statement on Government: Board, Administration, and Faculty

- The statement recognizes three major components of institutional decision making: the governing board, the administration, and the faculty.

- The statement also recognizes that the governing board has the final authority over all decisions that are made at the university.

- However, the board delegates its authority with respect to the administrative matters to the president and with respect to academic matters to the faculty.
Statement on Government: 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 that relate to the educational process."

• In these areas, "[t]he governing board and president should [...] concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail."
Statement on Government of Colleges and Universities

On carrying out faculty responsibilities:

✓ “Agencies for faculty participation in the government of the college or university should be established at each level where faculty responsibility is present.”

✓ “An agency should exist for the presentation of the views of the whole faculty.”

✓ “Faculty representatives should be selected by the faculty according to procedures determined by the faculty.”
Why Do We Have Handbooks?

- To operationalize principles of academic freedom, due process, and shared governance.
- To spread standards and procedures across campus, encouraging consistency between departments.
- To protect faculty rights from the exercise of arbitrary power.
Is a Faculty Handbook a Contract?

This differs from state to state. See: https://www.aaup.org/our-programs/legal-program/faculty-handbooks-guide

Often, for a handbook to be considered contractual, it must be cited in the initial appointment letter or reappointment notice.
Faculty Handbooks and CBAs

How faculty handbooks interact with collective bargaining agreements (CBAs) depends on state law and the CBA.

The AAUP generally encourages union chapters to incorporate handbooks by reference into the agreement, but there could be reasons why they shouldn’t or can’t.
Governance in Handbooks

To operationalize principles of shared governance, a faculty handbook should contain

- language defining shared governance, preferably from the Statement itself.
- a definition of the term “faculty.”
- a definition of academic freedom that includes intramural speech.
A faculty handbook should contain

- specific and unequivocal statements on
  - the faculty’s primary responsibility for the curriculum and for formulating and approving curricular policies.
  - the faculty’s primary responsibility for matters of faculty status—appointments, reappointments, tenure, promotion, and dismissal.
Governance in Handbooks

A faculty handbook should contain

- a specific and unequivocal statement on
  - the administration’s and board’s obligation to accept the faculty’s recommendation in an area of faculty primary responsibility “except in rare instances and for compelling reasons stated in detail.”
Governance in Handbooks

A faculty handbook should contain

- provisions ensuring that an agency exists for presenting the views of the whole faculty.
- provisions for standing committees for all areas of the faculty’s primary responsibility: curriculum, faculty personnel, faculty development, academic planning, faculty handbook, faculty grievances, faculty discipline.
- provisions that such committees consist primarily, if not exclusively, of faculty members.
Governance in Handbooks

A faculty handbook should contain provisions ensuring

- that members of faculty committees are selected by the faculty.
- that faculty personnel reviews are conducted initially by faculty committees.
- that the faculty plays a primary role in the selection of chairs, deans, VPAAs, provosts, and presidents.
- that the faculty plays a meaningful role in the evaluation of same.
A faculty handbook should contain provisions ensuring:
- that faculty representatives to all decision-making bodies are selected by the faculty.
- that the faculty plays a significant role in formulating the institutional budget and in faculty salary decisions.
- that the faculty plays a primary role in decisions to discontinue programs for educational reasons.
- that the faculty plays a primary role in decisions involving financial exigency.
Governance in Handbooks

A faculty handbook should contain provisions ensuring

- that the faculty plays a significant role in institutional long-range planning.
- that structures exist for effective faculty communication with the governing board.
Governance in Handbooks

Policies regarding changes to the faculty handbook should be explicit regarding:

- how they may be made
- who may make changes
- whose approval is needed
Amending Handbooks

Make sure that your handbook contains provisions for amending it!

- Do not make these provisions overly cumbersome.
- Make sure they prevent administration or board from making changes unilaterally.
- Watch out for policies that give the board or administration emergency power to override the faculty handbook.
Governance in Handbooks

It is critical that

- a faculty body, such as a faculty handbook committee, has oversight of the handbook and
- that no changes can be made to it without opportunity for plenary faculty review and vote.
Steps Faculty Can Take to Develop Shared Governance

- Analyze the governance structure on your campus. What are the strengths and weaknesses of the current system?
- Compare your governance structure with the standards set by the *Statement on Government* and other AAUP statements.
- Compare your governance structure with those of universities known for good practices.
Steps Faculty Can Take to Develop Shared Governance

- Develop a plan. Decide whether to attempt an overall redoing of your governance system or to attack it piecemeal.
- Hold public forums on governance with both campus and outside speakers.
- Seek opportunities to discuss governance with your administration and governing board.
- Review the entire handbook periodically.
Steps Faculty Can Take to Develop Shared Governance

• Question the advisability of mixed committees in areas of faculty primacy.
• Avoid the use of ad-hoc committees (“task forces”), especially those established unilaterally by the administration and/or the governing board.
• Make sure faculty appointments to all committees are made by faculty.
• Get involved in writing accreditation self-studies, especially the governance sections.
Steps Faculty Can Take to Develop Shared Governance

• Question the use of confidentiality agreements as a condition for participation in shared governance.
• Question the use of “closed searches” for administrators.
• Establish expectations for conduct of faculty representatives: at a minimum, faculty representatives need to inform their constituents, and seek input from their constituents.
Steps Faculty Can Take to Develop Shared Governance

- Establish shared governance at all levels of the university—department, college/school, and university.
- Seek the advice of the AAUP national staff and AAUP officers at both the national and state level.
- Work closely with the AAUP chapter leadership.
- Help to initiate the steps just outlined.
Steps an AAUP Chapter Can Take to Develop Shared Governance

Promote AAUP governance standards by

- reading and disseminating the Redbook.
- publishing a chapter newsletter.
- maintaining a website.
- communicating with the administration and governing board.
- sponsoring meetings and holding forums.
- administering a governance climate survey.
Steps an AAUP Chapter Can Take to Develop Shared Governance

Promote AAUP governance standards by

- supporting and cooperating with faculty governance bodies.
- getting chapter members involved in faculty governance.
- holding faculty governance bodies accountable.
- advocating for regular evaluation of administrators.
Points to Remember:

- Governance reform is a slow process.
- A governance document is never perfect.
- Shared governance will work only if faculty members are willing to devote the needed time and effort.
- Good communication is essential.
- Effective shared governance requires mutual trust and respect.
On Governance and Its Structures

“Governance guidelines in themselves have no animating power. In its most authentic sense, governance is simply the process by which people pursue common ends and, in the process, breathe life into otherwise lifeless forms. The best measure of the health of the governance structure at a college is not how it looks on paper, but the climate in which it functions.”

(Carnegie Foundation for the Advancement of Teaching, *The Control of the Campus*, 1982)
Thank You!

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