

Shared Governance at the University of Texas System Institutions: A White Paper

Prepared by the University of Texas System Faculty Advisory Council

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Introduction

"Shared Governance" is a concept of collegial, cooperative, and trust-based organizational leadership that enables meaningful combined participation by administration and faculty in the management of an institution's operations. Outstanding universities across the globe practice this form of combined governance.. Though the application of such democratic principles to the governance of a higher education institution in the US was first codified in 1920 and then included in the *American Association of University Professors Policy Documents and Reports*, shared governance in American higher education is almost 200 years old. History, proven practice, and tradition have shown that involving employees in the decision-making processes at institutions allow those organizations to excel in the generation of knowledge and ideas, sustain high quality education, and protect both quality and productivity from short-sighted decisions. Shared governance creates a highly effective team culture of "all-in" on a campus.

Recent developments in the higher education environment in the United States have put this critically important concept at risk. Driven by many factors -- political decisions and reduced sources of funding among them -- the business aspects of running a university often reduce the internal decision-making processes to those found in corporations. More and more frequently the "front line" employees -- the faculty -- are no longer involved in these processes. A routine of faculty exclusion in one area of governance gradually expands to other processes of what should be shared decision-making, and soon the conscience of an institution that provides educational expertise, continuity, and the long view is lost.

We are fortunate here in the UT System to have shared governance codified by Regents' *Rules and Regulations*, Rule 40101, "Faculty Role in Educational Policy Formation." This Regent Rule states that "the faculties of the institutions regularly offering instruction shall have a major role in the governance of their respective institutions." In fact, Regents Rule 20201:4.9.(b) *requires* the campus president to assure that all policies coming under Rule 40101 are reviewed by the elected governance body of the campus *before* they are submitted to the Regents for final approval and then inclusion in the campus Handbook of Operating Procedures.

However, the results of a UT System Faculty Advisory Council (FAC) survey conducted in the 2015/2016 Academic year show cause for concern. Six of our institutions reported serious problems or little-to-no shared governance, and four institutions reported "moderately effective" or mixed results in their shared governance procedures. Only four of our fourteen institutions reported having "very effective" shared governance structures and cultures of communication.

We believe we can do better. As a result we, the FAC, have developed this white paper on shared governance, which focuses on three main goals:

1. We urge the Chancellor to consider establishing a set of “Essential Elements of Effective Shared Governance” as a UT System standard to be met by our institutions.
2. We propose adoption of a Philosophy of Shared Governance for the UT System
3. We propose applying a specific set of best practices tailored to UT System conditions as a starting point for the discussion between faculty and administration at each institution and for the subsequent implementation or enhancement of shared governance on each campus.

Therefore, the UTS Faculty Advisory Council (FAC) respectfully presents this document, “Shared Governance at the University of Texas System Institutions: A White Paper” to the UTS Chancellor. Within the document we present Six Essential Elements of Shared Governance, a Philosophy of Shared Governance for the UT System, and a list of twelve Best Practices to Enhance Shared Governance with recommended action items. Finally, we end the white paper with our recommendation to the Chancellor that this document can be part of a transformational moment in the history of leadership at the UT System.

Six Essential Elements of Shared Governance for the UT System

This section outlines the FAC-recommended Six Essential Elements of Shared Governance ideally found at each UT System institution. These elements must be present in order for shared governance to function at its most effective and efficient level.

1. An institution-wide commitment to the concept of shared governance linking the president, faculty, and all stakeholders in a well-functioning partnership, purposefully devoted to a clearly defined and broadly affirmed institutional vision.
2. An organizational culture of caring, mutual respect, and trust
3. Consistently open, bidirectional, and transparent communication without threat or fear of reprisal.
4. A standing elected faculty governance organization recognized institution-wide as the voice of the faculty.
5. Partnership, shared responsibility, and shared accountability in decision-making for all academic, clinical, and research matters; shared accountability in all other institutional decision-making. These areas include the following:
 - a. Institutional strategic planning;
 - b. Establishment & review of educational curricula & academic programs (see RR 40307 section 2.2 a, b, c & e)
 - c. Institutional budgets and faculty compensation;
 - d. Faculty and administrative hiring;
 - e. Tenure and promotion;

- f. Faculty appointments & reappointments;
- g. Policy formation;
- h. Selection, evaluation, and retention of administrators; and
- i. Other institutional & university procedures & committees essential for the mission and success of the university/institution.

6. A proclivity for action and persistent follow-up on all institutional decisions.

A Philosophy of Shared Governance at the UT System

Shared governance at both academic and health institutions requires broad participation from both faculty and administration to ensure that the voice of the faculty is heard and that there is open dialog and communication as well as transparency and accountability for institutional operations and all academic functions. To this end, we offer the following:

Shared Governance at UT System institutions should be based upon:

- A total commitment to collegial, cooperative, and trust-based organizational leadership that enables meaningful combined participation by the administration and the faculty in the management of an institution's operations;
- A devoted partnership among all stakeholders to a clearly defined and broadly affirmed institutional vision;
- A standing elected faculty governance organization recognized as the voice of the faculty;
- Consistently open and transparent communication without threat or fear of reprisal;
- Shared responsibility and accountability in decision making and a proclivity for action and persistent follow-up on all institutional decisions; and
- An organizational culture of caring, mutual respect and commitment to collectively address any challenge.

Twelve Best Practices in Shared Governance

The recommended best practices for shared governance are subsumed below under four broad categories of Leadership, Policy, Communication, and Culture or Work Climate. The practices are numbered and presented in bold face. Corresponding recommended action items and, in some cases, brief discussion, are presented below each best practice.

Leadership Roles, Responsibilities, and Structures

1. The Faculty Governance Organization should implement or maintain policies that specifically establish, secure and clearly define the role of the institution's Faculty Governance Organization (FGO) in overall institutional governance. Appointments of faculty to committees whose concerns fall under Rule 40101 should be recommended by the elected faculty governance body

Recommended Action Items:

- a) The FGO will recommend faculty for appointments to committees that fall under RR 40101, including search committees for both faculty and administrative positions.
- b) FGO leadership shall be included as active members of the President's Council or primary executive committee.
- c) The President shall schedule monthly or bi-monthly meetings between the President and the leadership of the Faculty Governance Organization.
- d) To facilitate communication, meeting schedules and locations that are sensitive to the teaching and clinical schedules of FGO leaders should be considered. If possible, the FGO executive officers (e.g., Chair and Chair Elect) should be given schedules that allow them to attend required meetings.
- e) The President and the Provost should be accessible to consult with the faculty governance leadership. Communication should be bi-directional in order to get quick responses to pressing issues, "bubbling" concerns, etc. FGO leadership should also be available to Administration to offer input on a timely basis.

2. The Faculty Governance organization should consider establishing a separate Shared Governance Board (SGB) or add that function to existing Faculty Governance Executive Committees/Councils (FGEC) for each campus.

Discussion: The composition of this body may vary from institution to institution, but, at a minimum, it should include the university President, the leadership of the faculty governance organization, and others in staff and administrative executive leadership as deemed appropriate. It is considered a best practice that this SGB/FGEC be the foremost advisory committee to the President and meet regularly, no less than once a month.

Recommended Action Items:

- a) The SGB or FGEC will function as a way to provide "shared governance" oversight and counsel.
- b) The SGB/FGEC will make recommendations and advise the President on important areas of shared decision making as they pertain to faculty. Minutes should be kept of all meetings. Accountability and follow up are critical components of these meetings.

3. The Faculty Governance Organization should develop and maintain faculty governance organization website for each institution

Recommended Action Items:

- a) The website should be up-to-date and contain at minimum: agenda, meeting schedule for the academic year, approved minutes, directory of senators, by-laws and/or constitution for the FGO, links to Regents Rules for the UTS,

announcements for elections, etc. Other information such as attendance records of Senate representatives may also be posted; HOP policies under review, etc.

- b) A robust election system should be designed that promotes widespread participation; encourages service in the FGO; and provides information to voters regarding the role of a Senator and the responsibilities of his/her position. There may be a need for electronic support in conducting elections on some campuses/institutions whereas others may use departmental procedures to elect/select senate representatives. A message from Administration that supports and encourages service on the FGO is also recommended.

4. The institution/university administration should provide adequate administrative and financial support, including protected time for faculty governance leaders, and designated space for the faculty governance organization to improve efficiency of communication and transparency.

Recommended Action Items:

- a) The FGO should be granted a defined office space for the Faculty Governance Organization operations. In addition, the FGO should have a line item departmental budget that should be over and above what is allocated by the UTS for travel to FAC meetings. UTRGV may serve as one model for this since the FGO has had its own office space and budget for over 10 years.
- b) FAC recommends having dedicated support staff for the FGO office
- c) FAC recommends administration officials consider giving the FGO departmental status.
- d) The FGO President, at a minimum, should be eligible for protected time/release time.

Policy Development, Review, and Implementation

5. Each campus should develop an evaluation tool for assessment of faculty performance that incorporates all dimensions of faculty workload including faculty participation in scholarly and non-revenue generating activities and service, in addition to teaching and clinical care

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6. Each campus should review for internal compliance and update as necessary all policies in HOPs and HOOPs regarding promotion and tenure, term-tenure renewal or post-tenure review. Regents' Rule 20201 requires that any changes to the HOP be reviewed and approved by the Faculty Governance Organization prior to implementation.

7. Each campus should implement clear faculty appeal and grievance policies, and a mechanism for review and approval of such policies by the Faculty Governance Organization or the institution's Shared Governance Board, if formed. Ensure the medical and health professions faculty has shared decision-making in setting their clinical

expectations, and faculty is provided a mechanism to appeal decisions if an increased workload is affecting the safety of patients.

Recommended Action Items:

- a) Administrators and faculty leaders should be required to have a working knowledge of HOP, HOOP, Regents Rules and UTS policies.
- b) Administrators and faculty leaders should adhere to existing policies as vetted and approved by the FGO. When there are differences in what the FGO proposes and what Administration wants, a Blue Ribbon taskforce shall be established to work through the differences and propose solutions that both the FGO and Administration can support.
- c) Policies not vetted by the FGO (or in some cases, departmental faculty) should not be posted on websites and “proclaimed” as official University policies.
- d) A Faculty Salary Review Committee should be established. This committee will analyze salaries across the institution to ensure equity across gender, ethnic and departmental lines. This committee can also be charged with advising on how to address salary compression/inversion issues on a proactive basis.
- e) Each institution should have a Grievance policy that specifies the procedures for faculty who believe that they need to appeal a decision or file a grievance.
- f) Promotion and Tenure Policies
 - i. Tenure track faculty should be reviewed and evaluated by the policies in place at the time of their initial tenure-track appointment. These policies should be given to the candidate as part of the hiring package of materials and should be reviewed yearly with the candidate, especially at the 3rd year review mark and 1 year prior to advancing to the final review year.
 - ii. Each institution should develop its own policies for tenure and promotion and these policies will include information on committee composition and evaluation procedures. Any differences between departmental policy expectations and those at other administrative levels need to be vetted at the departmental level for a vote of the faculty. In other words, changes to policies must be agreed upon by departmental faculty and that may require engagement and difficult conversations with the Dean and the Provost.
- g) Faculty Workload:
 - i. A holistic metric for accurately measuring the workload of faculty must be developed. This metric should take into account supervision of labs, music rehearsals, advising, mentoring and coaching students, serving on governance groups (committees and FGOs), research, creative activities, community engagement, outreach, and service to the profession. All dimensions of faculty workload should be measured to more accurately provide data for our faculty productivity reports. Faculty participation in scholarly and non-revenue generating activities should also be included in addition to teaching and clinical care.

- ii. The business side of the medical and academic institutions while important should not supersede the institution's commitment to quality care and quality instruction.
- iii. Academic time for scholarly/creative pursuits must be preserved to give faculty the opportunity to generate new knowledge and creative works.
- iv. Academic freedom to pursue scholarly interests must be preserved in the interest of advancing the academy and solving pressing societal problems.

Bi-Directional Communication, Transparency, and Accountability

8. Institutions' administrators should include faculty-at-large and the faculty governance organization early and often in strategic planning, review of the institutional budget, philanthropic funding distributions, as well as clinical revenue-allocations across the university/institution. Provide transparency to faculty at large and faculty governance organization on budgets and allow their input on budgetary decisions.

Recommended Action Item:

- a) Administrators should contribute to positive faculty morale, transparency and accountability via regular electronic and/or face to face (townhall, etc.) communication with the faculty.

9. It should be a campus/institution norm that faculty input is sought by the President and other Administrators on major issues that impact faculty per RR 40101. Communication is most effective when it is proactive and not reactive.

Institutional Culture and Work Climate

10. Each campus should develop an upward evaluation tool or a "360 degree" type assessment tool for all higher administrators, including but not limited to, Chairs/Directors, Division Directors, Deans, Provosts, Vice Presidents and Presidents that includes participation by the campus Faculty Governance Organization, with a written report to the appropriate U T System Executive Vice Chancellor and the Deputy Chancellor.

Discussion: All UTS institutions strive to be work places with a positive, supportive culture that values integrity, fairness, equity, respect, service and joint responsibility for the mission of the institution. Shared governance can enhance and create this type of culture where top down authoritarian decision making is the exception and not the rule. In addition, Shared Governance can promote trust, collegiality, mutual respect and open dialog while preventing bullying, mobbing, and behaviors that impede gender equity, faculty recruitment and faculty retention. With this in mind, several recommended action items are listed below.

Recommended Action Items:

- a) All institutions should have a periodic evaluation of Presidents by faculty, staff and other administrators in addition to periodic evaluations of other top level administrators (Deans and up).
 - i. Administration evaluations should be public information.
 - ii. Administrators should also be evaluated for credibility and level of confidence in their leadership.
 - iii. UTS officials should consider action plans to remediate or remove these leaders. The FGO should be consulted regarding their perceptions of the leadership issues being faced by the institution.
- b) Training and Education on Shared Governance should be available through the UT System. Administrators and FGO members should be trained in: Shared Governance, Servant Leadership, and Conflict Management. The evaluation instrument used for Administration should have items that measure shared governance behaviors.
- c) The principles of shared governance should also be provided to new Chairs at the UTS Leadership Academy.
- d) New Faculty Orientation should also socialize and inform the new faculty to the culture of shared governance.
- e) Academic Affairs and the FGO should partner in hosting shared governance retreats/workshops for members of committees. Staff Senators should also be included in this training.
- f) Training should be provided on how to plan effective meetings. These meetings would not be for information dissemination; instead, participants will be actively engaged in brainstorming solutions for the pressing problems of the institution. This active engagement of stakeholders will revitalize campuses/institutions and help build team work. Accountability/follow up must be built in to the process.
- g) The UTS component institutions/universities should work together to design evaluation instruments/tools that measure shared governance behaviors by administrators (chairs, etc.). When behaviors are operationalized and measured, the expectations are clearer and there is accountability built in to the system.
- h) Each campus should develop its own time table for administrator evaluations.
- i) Instruments used to evaluate administrators should be tested for reliability and validity.
- j) Institutional policies to prevent or deal effectively with cases of bullying, mobbing, and/or retaliation should be developed and adopted at each institution.
- k) Administrators and FGO should be seen as partners in the educational enterprise.
 - i. Therefore, they should meet regularly; have open and honest communication; agree to disagree agreeably; focus on solutions and the best interest of the institution as a whole.

11. Each campus should conduct a culture and climate survey among the faculty and administration within the first 90 days of the arrival of a new president and thereafter on an interval determined with the Faculty Governance Organization.

Recommended Action Item:

- a) Survey results should be released to the public, and the FGO leadership and Administration should meet to discuss any problems or concerns that emerge from the survey and to formulate remedies for these problems. Positive climate results should also be widely communicated.

12. Each campus should establish a mechanism for institution or administration to bring issues or problems with shared governance that cannot be resolved internally to the UT System Administration.

Recommended Action Items:

- a) Faculty Governance Leaders and Administration who find themselves in a difficult situation should seek to mediate conflicts instead of escalate them. The use of an independent ombudsperson, a mediator or other objective third party (possibly facilitated through the UT System) should be sought. Many grievances and lawsuits may be prevented if there is a mechanism for resolving problems instead of escalating them. There is a perception that the proliferation of legal offices at institutions has served to exacerbate situations instead of resolving them early on. Legal teams should be trained in mediation.
- b) The UTS may want to explore providing training for ombudspersons for the component institutions.

Concluding Recommendation:

A strong sense of partnership and shared commitment among faculty and administration is essential to the successful daily operations of our universities. Shared governance as outlined here can help all members of the UT System community sustain excellence in teaching, research, and clinical care and can help us react thoughtfully to the rapidly changing environment in modern higher education.

This is a transformational moment in the history of leadership in the University of Texas System. The UT System Faculty Advisory Council respectfully urges the Chancellor to consider and apply a common standard and set of guidelines for shared governance across the System. These guidelines would serve as a general statement of the expectations for shared governance in the UT System and could be evaluated and adjusted locally as needed on an annual basis.

The FAC strongly recommends that the Chancellor might use this document, with its Six Essential Elements of Shared Governance, Philosophy of Shared Governance, and twelve Best Practices as the starting point for system-wide discussion and implementation of a more

enlightened and contemporary leadership model than presently exists on most of our campuses. The model these principles and practices outline is based on “trust, common purpose, shared consciousness, and empowered execution” (McChrystal 7).

Works Cited

Kreiser, B. Robert, ed. *American Association of University Professors Policy Documents and Reports* 9th ed. Washington, D. C: American Association of University Professors, 2001. Print.

McChrystal, Stanley. *Team of Teams. New Rules of Engagement for a Complex World*. New York: Penguin, 2015. Print.