



Report from the Council of University System Faculty
Board of Regents
October, 2015

On September 24, 2015 CUSF met at Bowie State University and was warmly welcomed to the historic campus which is celebrating its sesquicentennial year. CUSF heard reports from USM as well as a report from the MHEC Faculty Advisory Council (FAC) liaison Joan Langdon about initiatives that have major implications for USM institutions. For example, compensation and working conditions of adjuncts; increasing student/faculty research; revisions to the Code of Maryland Regulations (COMAR) on the academic program approval process and faculty recruitment and retention. It was widely agreed that CUSF would strengthen lines of communication with FAC in the upcoming year.

USM has conferred with the Attorney General's office to align USM's retirement and terminal leave policies with federal tax laws. CUSF was informed of three revisions post-severance contributions, window program and phased retirements. There was considerable discussion of the roles and responsibilities of faculty, including whether the PTRM system was a potential method for deciding who should retire.

There was also discussion about faculty who might be eligible for retirement, but want to maintain some affiliation with the institution to which so much of their time and creative efforts has been dedicated to. Model retirement programs that creatively responded, to these issues were presented. Key components included using faculty to mentor others, providing office space, use of institutional email, library access, and parking for retirees. CUSF also discussed the challenge of discovering who might be interested in such programs (age, years of service, etc.) without appearing to prematurely "push" senior faculty. The important role faculty senates play in the process of educating the faculty of opportunities as they become available on the individual campuses was highlighted.

Subcommittees met to set their agenda for the year, and to elect the following Chairs:
Faculty Affairs - Co-chairs Paul Flexner (Salisbury) and Jeanne Geiger-Brown (UMB); Legislative Affairs - Chris Brittan-Powell (CSU); Academic Affairs – Amy Froide (UMBC); Membership and Rules – Bill Chapin (UMES).

CUSF reviewed the recommendations to change the governance structure at UMUC. This was discussed at length before unanimously voting (Motion 1501) for the Shared Governance subcommittee to develop a response (see addendum) that captured the discussion and have the Executive Committee approve and submit to the Chancellor and Board of Regents.

CUSF's next meeting will occur on October 16, 2015 at FSU.

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ADDENDUM

TO: Council of University System Faculty
FROM: Dr. Stephanie B. Gibson, University of Baltimore
Dr. David L. Parker, Salisbury University
Dr. Martha J. Siegel, Towson University
DATE: March 27, 2015

The Council of University System Faculty (CUSF) recognizes that the educational environment is changing and UMUC believes its business model will make it more competitive. We believe that shared governance and the business model can co-exist. There is a reason for shared governance and a shared governance policy. It is because faculty are integral to the success of both the traditional and modern university. The strength and economic advantage that UMUC has (or should have) are its roots as part of the USM and in shared governance. We believe that shared governance will enhance UMUC's position. The secret of any entrepreneurial success is to draw on your strengths (e.g. shared governance) and incorporate them into the new model. This approach gives UMUC a unique advantage.

With this principle in mind, CUSF has read with great interest the document entitled *Recommendation for Academic Governance at UMUC* (the body of the document and two appendixes). CUSF has heard for some time from the UMUC faculty about problems in the governance structure. In the Fall 2014 semester CUSF passed a resolution empaneling a committee tasked with reviewing the shared governance structure at UMUC. This committee met with several administrators (President Miyares and Provost Cini among them), spoke with many faculty (among them several different types of faculty), and read many documents received from UMUC. In the spring semester the committee brought its report to CUSF. At that time CUSF voted to ask the chancellor to empanel a committee to help UMUC restructure their shared governance.

We are pleased to see that UMUC is attempting to rectify what appears to be a dysfunctional situation. The submitted document describes the process by which UMUC arrived at the *Recommended Model* that appears on pages 5-8 of the UMUC document.

CUSF feels it is important that we respond to the proposed model because it is vague and we would like to be certain that it addresses the problems pointed out not only in the CUSF review, but also in the UMUC *Recommendation* itself.

Definitions of faculty

The CUSF review revealed that there is great confusion in how faculty titles are used at UMUC and this is creating significant antipathy among all the faculty. The *Recommendation* itself makes mention of this several times. UMUC needs to be clear in how it defines the different roles. Point 5 (on page 4 of the UMUC *Recommendation*...) states

Continued work is needed on the names and definitions for faculty members. The term “core” for example has an associated opposite of “peripheral” which, although unintended, is naturally drawn out for those who are not “core.” And, peripheral and/or being on the periphery does not communicate what we seek in differentiating names for faculty.

And on page 8, it is pointed out that UMUC

Need[s] to identify the appropriate—more neutral, objective—words to differentiate between faculty (who happen to be full-time) who are responsible for leading programs and those who deliver the learning experience. In this document, “core” was used to aid in clarity, but the team did not recommend finally using that naming convention.

And later

The schools must change the culture of how faculty—full-time collegiates, adjuncts, and CTFs—connect back to their programs in what is being called “communities of practice” in this document. This priority requires us to rethink program and school leadership roles so that community development is given priority, directly addressing the overwhelming root-cause majority of issues raised in focus groups.

The acknowledgement that the faculty titles are confusing and can be easily misinterpreted needs to be followed by a clear definition of faculty titles and faculty roles. Expectations of each role should be made clear and be available to all. If certain roles lean more toward being staff or administrative that should be acknowledged. Although faculty titles are mentioned several times throughout, no attempt whatsoever is made to clarify. One finishes reading the UMUC document with no additional insight into faculty roles. The defining of faculty roles and titles must be placed at the beginning of any shared governance document.

The AAUP indicates it is necessary for all components of an educational institution to work together in an atmosphere of cooperation in order to meet the educational needs of their students and community. Faculty are hired because of their disciplinary expertise and it is essential that academic and curricular decisions be made by those who understand the field and how it must be taught. A great many UMUC faculty are adjuncts and some clarity must be forthcoming about how adjuncts are expected to participate in the life of the university – both with regard to academic matters (such as curriculum) and personnel matters (such as their status within the university). Nothing within the *Recommendation* document (or within the *Recommended Model*) begins to address this very serious matter.

Structure of the body

The *Recommended model* appears to be a beginning of a constitution for the new governance body, however it omits almost any mention of the structure or actual functioning of the body. We understand that this is not a final version of a constitution, but it is cause for concern that no specifics are mentioned and the direction seems to be one where curriculum only is within the purview of the structure. It does not seem that a constitution composed under this framework could meet the criteria required of authentic shared governance as required by USM and outlined by the AAUP.

In order to allow governance to function, it is absolutely necessary that the structure be articulated clearly for all to understand. Constitutions should address the basic principles guiding an organization’s operation, bylaws operationalize those principles and explain how the organization runs. Both are necessary for shared governance to operate properly. A few basic recommendations about what a constitution must cover follow. These must be addressed in whatever format UMUC adopts.

1. *Avenues of communication.* Any forming document must specify the standing committees of the body and the system that by which committees inform and make proposals to the

body for ultimate approval. The number of committees should not be limited to the ones named, and the method by which new standing and ad hoc committees of the body (usually by consent of the body itself) can be established should be described. All standing committees of the body should be required to report to the body at least annually. Terms on committees should be specified.

2. *Officers and terms.* Officers of the body should be elected by the voting members. The Chair and Secretary should be at least two of the officers and should get some compensation. Terms might be one year as officer or two years, but terms should be specified. Responsibilities of the officers should be specified. Terms of office should be staggered at first, but terms of 3 years are generally better than 2 years, as there is likely a learning curve for new members.
3. *Meetings.* The body should have required meetings at a set time so that students, faculty, staff, etc. know when the body meets and are welcome to attend meetings. Monthly meetings are customary. A provision for electronic communication for world-wide meetings should be specified, as should a provision for electronic voting. Again, it is necessary that communication structures – how information reaches the governance body from the administration and how information travels from the body to the administration – be clarified and used by all parties.
4. *Scope.* Scope of what the body addresses should be laid out in general terms. In addition to curriculum (including formation of new departments or administrative units affecting the delivery of curriculum) and program matters impacting curriculum, most governing bodies address such items as admissions, graduation requirements, grading policies, exam policies, scholarships, and academic policies that impact such areas as textbook adoption. Most of these things are first handled in committee.
5. *Governance at each level.* Each level below the University as a whole should have its own governing body, defined clearly to include faculty.

Communication

One extremely serious problem the CUSF review uncovered was the absence of any official avenues for information to travel from one group to another. Problems exist between the upper administration and the governance structure and between different groups of faculty. The *Recommendation* also mentions repeatedly that a major problem it wishes to address is the lack of good communication. A carefully laid-out governance structure should address this problem. As suggested above, it should outline how matters are brought to the governance body, how committees are charged and report back, and how matters are communicated to the administration.

How faculty participation can be encouraged when retaliation is a possibility is a problem that must be addressed. Job security is not part of the UMUC structure, but CUSF continues to recommend that a small number of long-term contract faculty (who could not be let go except for cause) would greatly increase both the flexibility and the responsiveness of the institution. Faculty must feel free to make recommendations that administration some administrative levels may not agree with. Curriculum content is, as the *Recommendation* acknowledges, the faculty's area of expertise and it is essential that faculty be able to make sometimes unpopular curricular recommendations. UMUC Program directors who coordinate content areas serve at the pleasure of the administration. For this reason, they often think of themselves as staff, not faculty, and choose not to risk their jobs by speaking out.

Having adjunct faculty participate piecemeal in various ways does not achieve what is needed to make an institution whole – having fully invested faculty. This is especially true when those same people may not be kept very long or may have no part in the initiation and cooperative formation of policies. UMUC needs a more permanent set of individuals who are encouraged to speak freely as its core and those people should be permitted to do the work of traditional faculty.

While it seems that the current administration is willing to work at communications, CUSF's concern is for the long term. Whatever documents result from this governance revision will surely be asked to hold up under more extreme situations. Everyone currently involved is committed to making this work. However a solid structure where the concepts of faculty responsibility for such areas as curriculum, faculty responsibilities, and appropriate academic policies, is what will carry UMUC through future administrations where other troubles will surely arise. Whatever structure is put in place today must be sustainable and viable over time.

The question of governance

No fewer than nine times does the full *Recommendation* document make mention of the fact that the body is advisory only, it does not “govern.” The refusal of UMUC administration to designate this as a “governance” body indicates that they are not in the same frame of mind that other institutions in USM are when considering the role of faculty in shared “governance.” Why are they unwilling to call this a “governance” system and policy? Naming the Faculty group the AAB and continually repeating that the group is “only advisory” is inflammatory and disrespectful. No one doubts that the President of UMUC has ultimate authority, and that can be stated once at the beginning. All USM institutions make that clear somewhere at the beginning of their governance documents. Nevertheless, the University Senates actually govern what the faculty are responsible for and it is rare that the President overturns a proposal that has been sanctioned by the Senate. Can the name of the Academic Advisory Board be changed to the Academic Senate?

The *Recommendation* points out “[t]he AAB may play an official role in the “governance” of the university according to USM policy,” yet it goes to great lengths to point out that UMUC does not consider it a governance body. This is a troubling inconsistency and appears extremely disingenuous.

Accreditation

The USM policy on shared governance states that “[s]hared governance requires informed participation and collaboration by faculty, students, staff, and administrators.” With specific regard to faculty it points out “[t]he central role of the faculty in the institution's teaching, research, and outreach programs, including the assessment of the quality of these activities through peer review.”

The University System does not make this statement lightly as it is essential that, as The Middle States Commission on Higher Education (MSCHE) – our accrediting body, points out, “the institution’s instructional, research, and service programs are devised, developed, monitored, and supported by qualified professionals.” MSCHE further asks that the “governance structure include[s] an active governing body with sufficient autonomy to assure institutional integrity and to fulfill its responsibilities of policy and resource development.”

The American Association of University Professors' statement on shared governance (composed together with the American Council on Education and the Association of Governing Boards of Universities and Colleges) similarly states that "[t]he 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."

Matters relating to hiring and retaining faculty, peer review, textbooks, academic freedom, and defining the curriculum that leads to a degree should be the domain of faculty with the consent of an Academic Vice President. CUSF's deep concern is that only legitimate shared governance will not risk the institution's accreditation.

Conclusion

As is widely acknowledged, faculty have responsibility for four basic areas of the academy: content of the curriculum, faculty requirements, admission standards and graduation standards. All of this should be reflected in the operation of the institution, including the governance structure.

The *Recommendation* document currently under consideration suggests the outlines of a new structure, but no detailed framework is actually suggested. The document makes absolutely essential observations: better communication is needed, faculty definition is needed, a new governance structure is necessary. However, it addresses none of these problems and neither does the vague skeleton of a structure it recommends.

The absence of specifics, and with the document so vocally pointing out that the proposal is not for a "governance" body, mandate that the points raised here be attended to before moving forward with any sort of overall approval.