



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

On March 9, 2015 CUSF met at Towson University and was warmly welcomed to the sprawling campus by Maggie Reitz, Acting Provost. In her comments she noted that 80% of recent Towson graduates remain in Maryland following graduation and contribute to Maryland's workforce and economy in significant ways. Joanne Boughman, Vice Chancellor for Academic Affairs provided a legislative update and informed the group about USM's recent activities with the Department of Budget and Management (DBM) concerning the implementation of the Wellness Program. USM representatives recently met with DBM and State officials to express widespread concerns voiced by USM faculty and staff regarding the implementation of the Wellness Program. Most recently, much of the concern has surrounded the online questionnaire including but not limited to technical problems when attempting to complete the electronic document, the intrusiveness and overall nature of the questionnaire, and the potential for breaches in privacy. Additionally, restrictions prohibiting participants from completing the questionnaire with non-network medical care providers and an overall lack of clarity regarding the purpose the information will be used for are but a few of the concerns that are routinely raised. At this point USM is waiting for DBM's formal response to the issues and concerns that were brought to their attention. CUSF thanks USM for their ongoing efforts to improve the Wellness Program initiative and will continue to monitor the developments as they unfold.

CUSF is undergoing an internal review of the BOR Faculty Awards policy to clarify the requirements and streamline the application process. Significant revisions to the award categories and the composition of both the institutional and regional review committees are being considered. This review process is expected to culminate at the April meeting and the recommendations will be sent to the Board of Regents Committee on Education Policy and Student Life.

Dr. Boughman also presented on the BOR E & E 2.0 initiative and started her comments by providing CUSF with history about the impact of the previous E&E effort. The initiative was successful and saved USM institutions considerable amounts in funding and resources. The current effort is to build upon prior successes by promoting E&E in all activities. How can we better measure and track success while finding new ways to save? Committees have been established on each campus to identify immediate and long-term efforts to increase efficiencies. This discussion generated considerable ideas and recommendations and it was decided that a CUSF subcommittee would be appointed to explore E & E in depth.

On March 27, 2015 the Shared Governance Review Committee completed its report on the state of shared governance at UMUC. This workgroup was tasked with gathering information in an

attempt to position CUSF to better perform its duty of advising the Chancellor and reporting to the Board of Regents on matters concerning shared governance within the USM. We thank President Miyares for his cooperation and assistance throughout the review period. A complete copy of the report is included as an addendum.

CUSF's next meeting will occur on April 13, 2015 at University of Maryland Baltimore County.

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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

In response to CUSF motion 1402, a workgroup consisting of Stephanie Gibson, Martha Siegel, and Dave Parker was convened to “review the state of shared governance at UMUC.” The workgroup was unable to complete its work on the timeline requested in the motion (reporting back at the February, 2015, meeting) and communicated such to the CUSF Chair.

The committee had numerous conversations about the situation at UMUC. We have spoken at length with several members of the administration: Marie Cini, Provost; Kara Van Dam, Vice Provost; and Javier Miyares, President (Robyn Seabrook, Deputy Counsel, was also present). We spoke at length with the chair and vice-chair of the Faculty Advisory Council: James Kennedy, FAC chair, and Jane Burman-Holtom, FAC vice-chair (both adjuncts). We also spoke to several representatives from the collegiate faculty.

We reviewed the following documents:

- CUSF Motion 1402
- Response to CUSF10/20/2014 Resolution on Shared Governance at UMUC (11/5/14)
- Reply of the UMUC Faculty Advisory Council Executive Committee to UMUC President Javier Miyares’ Letter of November 5, 2014
- Board of Regents Summary of Item for Action, Information or Discussion; University of Maryland University College: Authorization to Initiate a New Business Model
- A University System of Maryland White Paper, December 2014
- Testimony at January 29, 2015 Meeting of University System of Maryland Board of Regents—Finance Committee Regarding a proposed new Business Model for UMUC, Respectfully submitted by Maggie Cohen, Ph.D., J.D., UMUC Collegiate Professor
- University of Maryland University College Faculty Advisory Council Constitution (01 April 2003)
- University of Maryland University College, Faculty Advisory Council Bylaws
- A memorandum to the working group dated 3/2/15, from Kara Van Dam, Vice Provost, Learner & Faculty Experience, UMUC
- Curriculum Council Composition and Procedures, December 2009
- Materials sent to the working group by FAC:
  - A FAC annotated summary for CUSF review report & recommendations provided by James Kennedy
  - 2011 scorecard
  - 2014 annual report on faculty shared governance at UMUC
  - FAC News January 2015
  - 11/28/12 letter from Pam Smith to Brit Kirwan and Javier Miyares
  - FAC Task forces and committees
  - 4/27/12 letter from Javier Miyares to Senator Tom Harkin

- 5/21/12 letter from Javier Miyares to Senator Tom Harkin
- UMUC Draft Strategic Plan January 2015

We very much regret to report that the state of shared governance at UMUC can only be labeled dysfunctional. It can be likened to two groups that are living in completely different realities. Almost no common ground exists between the administration and the adjunct faculty, by far the largest group of faculty at UMUC. There is almost no agreement between the two groups on matters such as how faculty are defined, how shared governance is supposed to work, or how shared governance is actually functioning. We note a lack of trust on the part of the adjunct faculty, a lack of transparency on the part of the administration, and the non-existence of any shared governance structures.

### *UMUC Faculty*

UMUC administration defines *full-time faculty* as those faculty who are on 1-3 year contracts. These include the Program and Assistant Program Chairs, Collegiate Faculty, Collegiate Librarians, and Traveling and Residential Faculty (overseas). We will use this designation to refer to the group defined here.

Unfortunately, the term collegiate has also been used to refer to 9-month “super adjuncts” – individuals who teach eight courses per year (normally considered a full-time load); these faculty are also called NOL, meaning not on line. They are contracted for one year at a time and are paid on a per course basis. In the parlance of most of academia people who are paid per-course are considered adjunct faculty.

The category of 9-month collegiate faculty was developed in 2003, and was intended to be used for only two years. It was never phased out and increasing numbers of adjuncts were hired at this designation. In 2012-13 UMUC decided to convert these adjuncts to regular collegiate faculty. Some were converted but the following year budget difficulties prevented any additional conversions and, in fact, many of those already converted were reverted to their prior status. As of the present moment all 9-month collegiate faculty have been informed that the designation of 9-month collegiate will be phased out as of August 2016.

The members of FAC consider the full-time faculty to be staff members, not faculty. The full-time faculty (including program chairs) also consider themselves to be staff, and only tangentially faculty. The workgroup has heard constant disparaging remarks from the adjuncts about the collegiate faculty as staff, and an insistence from the administration that the full-time faculty are the core faculty who make essential academic contributions. Trying to understand who UMUC faculty are and how they function is an immensely confusing task. The UMUC website does not help this matter as it refers to people and their positions using inconsistent designations.

Adjunct faculty comprise, by an enormous margin, the largest group of faculty at UMUC. The adjuncts report that they have no role in decision-making, they have no avenues for communicating with administrators or staff (all communications must be funneled through the provost), they are not listened to, they are unable to contribute. They do not trust or respect the administration or the full-time faculty and they feel that almost every area of academic integrity

is being compromised. They see students as being poorly advised, they see content areas as being supervised by people they consider to know little about those areas, and generally they see decisions being made without any evidence to support them.

Adjunct perceptions of how actions are carried out are so completely different from administration perceptions that they understand contract non-renewal as being fired. Although it is clear that UMUC had serious enrollment and thus budget problems in 2013, forcing the rethinking of the 9-month collegiate conversions, the adjuncts expressed genuine disbelief that such a situation even existed. These are not just simple misunderstandings (intentional or not) of what is taking place, these divergences indicate completely different world views about the situations.

Adjunct faculty who believe that they are the representatives of authentic faculty interests at UMUC assert that the full-time faculty are not really faculty at all. The UMUC administration, on the other hand, believes that the full-time faculty are the “real” faculty, and it successfully asserts that position to accrediting agencies.

UMUC administration indicates that the full-time faculty are the core faculty and that they collaborate in academic decisions regarding academic policy, curriculum, and faculty standards. After speaking with representative full-time faculty we find that this is not the perception of the full-time faculty. They call themselves staff and they do not report being part of academic decisions. The administration, in fact, was perplexed at our framing of these full-time faculty as part of shared governance; UMUC administration does not consider academic decisions to be part of the system of shared governance. Nevertheless, when asked to name faculty at UMUC, the administration names exactly these so-called “core” faculty. The Curriculum Council Composition and Procedures (dated December 2009) confirm that curriculum decisions are made by a committee that is approximately 80% administrators – the document shows that full-time faculty have two seats, FAC one seat, and administrators eleven seats, plus five administrative advisory seats. This cannot be called shared governance. And we find it particularly troubling that academic decisions that should involve primarily faculty seem to, in fact, be handed down as administrative decisions.

#### *UMUC shared governance*

FAC membership requirements call for equal numbers of collegiate faculty and adjunct faculty. However, because the word *collegiate* has also been used to refer to both a category of full time faculty and a category of adjuncts, the majority of FAC membership is currently adjuncts. The two FAC officers with whom the workgroup spoke are adjuncts.

FAC’s constitution states that it is to “consider and advise the president and provost” on matters, and it lists at least ten categories of interaction. However neither the constitution nor the FAC bylaws lay out a structure through which this advising can take place. This is one major source of problem. According to its constitution and bylaws, the UMUC Faculty Advisory Council has no committee structure, no way to receive matters from the administration, and no official avenues of communication. Most full-time faculty and we suspect many others at UMUC (administrators and adjunct faculty alike) perceive the purpose of FAC to be to represent the adjunct faculty with regard to working conditions – a job specifically delegated to the Adjunct Faculty Association.

FAC, itself, does not adhere to even the modest suggested structure in its own constitution and bylaws as it has created a task force structure entirely outside any officially written suggested structure (we can only assume the list of matters it will advise on is an outline for a committee structure). The only two committees in the FAC constitution or bylaws are the Executive Committee and an Election Committee.

We also find the same lack of structure with regard to the Curriculum Council that administration says is in charge of all curricular decision making. The membership is highly problematic and we see no official route for curricular change other than to go through administrative offices. It is our impression that Program Chairs receive mandates from the administration that require major changes in short time.

In a working system of academic shared governance we normally see faculty controlling academic matters (such as academic policies, program issues, curriculum, course content, assessment, academic appointment, rank, and tenure, et cetera). Committees of the senate (which are comprised primarily of faculty but can contain others) consider these matters, make decisions and recommendations that they then forward to the Senate for approval. (Some minor matters can be decided in committees alone.) Senate decisions are sent formally to the administrative leadership and implemented. Matters come to committees generally through the senate (or other officially designated channels), however additional channels can also be designed. Senate bodies have executive committees that meet regularly with administration leadership, the general senate body also meets regularly to consider an agenda constructed by the executive committee with committee input. At most USM institutions, the Provost and the major VPs come to the senate meetings and are asked to provide reports each month. They report on Board decisions, USM issues, and internal institutional issues. Power and information must pass back and forth freely between all bodies.

Senate bodies must be comprised of those who are responsible for these decisions, those faculty whose qualifications have been vetted by their peers, who are credentialed in their fields, who are obligated to fulfill the institutional goals, and generally who are compensated with full-time salaries. Ordinarily full time faculty participate in regular department meetings, serve on committees, perform advising, promote the university in various ways, produce scholarly work, and maintain some sort of national engagement in their disciplines/professions. We have been told by the Provost that these duties are the responsibility of the collegiate faculty. These faculty are normally tenured (or tenure track). The lack of job security for even collegiate faculty means that even the most basic elements of the academic model have been abandoned. In addition, we see no evidence that the structure of the academic enterprise is well-defined, transparent, or part of any shared vision of the university.

A working senate body has primarily tenured faculty and a small minority of adjuncts. The distribution of membership on FAC turns this on its head, yet we are not persuaded that the full-time faculty are, indeed, representative of the faculty who should populate FAC. Too many people perceive what full-time faculty do as staff work and this problem must also be dealt with.

Allowing for discussion is not shared governance. We have seen little evidence that administration takes seriously comments from any faculty members.

## *Additional Problems*

UMUC has two organized faculty organizations: Faculty Advisory Council and the Adjunct Faculty Association. It appears that FAC is in essence competing with the adjunct faculty meet and confer process, and nobody knows who's responsible for what. Clear areas of responsibility must be drawn. This is not impossible as many campuses have both shared governance and an organization that is (or approximates) collective bargaining.

Being the majority of the teaching faculty does not, in itself, mean that adjuncts represent the authentic faculty voice. Nor does it matter in this regard whether these individuals have other income. As mentioned above, regular faculty are normally considered to be those who do the academic work of the institution – work which is many-faceted, teaching being only one part. Though we have been assured by administration that informal avenues for input exist, there is no evidence of sustained, shared responsibility for academic actions.

As mentioned earlier, trust and transparency, in both directions, must be repaired. Both faculty and administration have committed sins of omission and commission. Administration seems reluctant to relinquish the control that comes with having no tenured faculty and a large adjunct pool. Adjuncts seem so paranoid about administration communication that they seem unwilling to consider that administration actually speaks the truth. Unfortunately without tenure many people feel vulnerable and are afraid to speak. Providing tenure or a system of longer-term contracts with well-defined and transparent procedures for declaring exigency would go a long way toward building a trusted and trusting – internally and externally – core faculty.

We are also concerned as we hear regularly about retaliation in many forms. Again, providing some measure of security for certain core faculty members can help alleviate the fears on both sides and will not compromise flexibility.

Adjunct faculty at UMUC are frustrated because they feel a lack of control. Some collegiate faculty expressed the same frustration. Although the academic world recognizes that adjunct faculty are hired on a per-semester, per-course basis, when an institution has such a large group of adjuncts, many of whom teach for years and years, it seems logical that some official avenues be constructed to gather and consider their input. As an example, we cite the change to online texts only and the new academic schedule. Both of these decisions are academic decisions that are mandated and required massive changes in a very short time frame.

The governance structure is non-existent. With its current constitution and bylaws, FAC has no structure through which work can be done. If UMUC wants to be an academic institution among its USM peers, it must construct a clear and working shared governance model.

The new business model outlined in the White Paper is problematic because it addresses only the business aspect of what UMUC wants to become. The workgroup has seen no outline of how the academic model has shifted or will shift. Adjuncts we have spoken to insist that a change to “competency based education” is in the offing, but the workgroup received no information from faculty about what this means. Adjuncts claim they are to become mentors and coaches. We are not sure what their responsibilities truly are as “faculty.” The academic model should receive the same attention that the business model does. We see no clear path on the academic side.



At the very least, CUSF should audit the UMUC census of faculty. It has reported about 400 individuals with that classification. With the changes in the institution of late, we have reason to doubt that number.

The present structure for shared governance is so caustic that it almost certainly cannot simply be repaired. The workgroup came away from its task feeling as though we had participated in a giant game of telephone where one person starts out saying one thing and by the time it gets to the last person in line, she hears something not just slightly different, but completely different. The workgroup was not tasked with making recommendations, but it is clear that without a legitimate shared governance system, an institution cannot be considered a part of the University System of Maryland.