

Principles of Shared Governance in Turbulent Times

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A “Watershed” Moment for Governance

“*Shared academic governance has been under severe pressure since the onset of the pandemic. Though it would be premature to say that we have entered a new era of institutional governance in advance of what some observers are calling ‘the great contraction’ in American higher education, the evidence already before us suggests that this has been a **watershed moment**. There is no question that many colleges and universities are in financial distress, and many more will face daunting challenges in the next decade. **The question is whether robust shared governance will survive those challenges.** For that to happen, governing boards, administrations, and faculties must make a conscious, concerted, and sustained effort to ensure that all parties are conversant with, and cultivate respect for, the norms of shared governance as articulated in the *Statement on Government of Colleges and Universities*.”*

— [*Special Report: COVID-19 and Academic Governance*](#) (2021)

The AAUP and Institutional Governance

- The authoritative formulation of principles of academic governance is set forth in the 1966 *Statement on Government of Colleges and Universities*.
- The statement was jointly formulated with the AGB and the ACE, and each group commended it to its members.

Statement on Government of Colleges and Universities



The statement articulates the roles of three components:

Governing Board

Administration

Faculty



Statement on Government of Colleges and Universities



Recommends “joint” governance because

“a college or university in which all the components are aware of their **interdependence**, of the usefulness of **communication** among themselves, and of **the force of joint action** will enjoy increased capacity to **solve educational problems.**”



Statement on Government of Colleges and Universities



- Appropriate joint planning and effort means **all** components get to participate:

“...important areas of action involve at one time or another the initiating capacity and decision-making participation of all the institutional components...”



Statement on Government of Colleges and Universities



- Appropriate joint planning and effort requires participation **depending on the degree of responsibility:**
- “...differences in the weight of each voice, from one point to the next, should be determined by reference to the responsibility of each component for the particular matter at hand...”



On 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 which relate to the educational process.”

What does “primary responsibility” mean?

- In areas of faculty primacy, boards and presidents should “concur with faculty judgment **except in rare instances** and for **compelling reasons** which should be **stated in detail.**”

Regulation 4c and Regulation 4d of the *Recommended Institutional Regulations on Academic Freedom and Tenure*

Under AAUP standards, there are only three legitimate bases for terminating a tenured appointment: dismissal for cause, **financial exigency**, and **program discontinuance for educational reasons**

- The purpose of Regulation 4c is to prevent administrations from terminating tenured appointments for **bogus financial reasons**
- The purpose of Regulation 4d is to prevent the same for **bogus educational reasons**

Financial Exigency (Regulation 4c)

The AAUP defines **financial exigency** as “a severe financial crisis that fundamentally compromises the academic integrity of the institution as a whole and that cannot be alleviated by less drastic means” than terminating appointments.

Financial Exigency (Regulation 4c)

AAUP recommendations:

- The faculty should be involved at every stage of the process.
- Faculty bodies participating in the process should not be appointed by the administration.
- All faculty members in a program being considered for discontinuance should be informed in writing and given at least thirty days to respond.

Financial Exigency (Regulation 4c)

The faculty should have access to

- five years of audited financial statements, budgets, and detailed cash-flow estimates.
- detailed program, department, and administrative-unit budgets.

The faculty should determine whether all feasible alternatives to termination of appointments have been pursued.

Program Discontinuance (Regulation 4d)

The decision to discontinue a program or department where terminations of appointment in prospect must be based **essentially upon educational considerations.**

Program Discontinuance (Regulation 4d)

Educational Considerations

- should be determined primarily by the faculty.
- do not include cyclical or temporary variations in enrollment.
- should reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by the discontinuance.

Individual Faculty Rights under 4c and 4d

The institution should make “every effort” to find another suitable position in the institution for the affected faculty member.

The faculty member has the right to a hearing before a faculty body.

Individual Faculty Rights under 4c and 4d

The faculty member will be given notice or severance salary (in the case of financial exigency) or just severance (in the case of program discontinuation).

In all cases of termination of appointment because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reinstatement.

Fundamental Institutional Changes

“The faculty should play a fundamental role in any decision that would change the basic character and purpose of the institution, including transformation of the institution, affiliation of part of the existing operation with another institution, or merger, with the resulting abandonment or curtailment of duplicate programs.”

--The Role of the Faculty in Budgetary and Salary Matters

Thank you!

For more extensive discussion, workshops, and seminars, come to the 2023 AAUP Summer Institute at the University of Vermont, July 6-9:

<https://www.aaup.org/event/2023-summer-institute>

If you have questions or need assistance, please send an email message to academicfreedom@aaup.org or visit the AAUP's [governance resources page](#).