

GUIDELINES FOR SHARED GOVERNANCE

The University of Arizona

**Memorandum of Understanding Entered into by the Faculty and the
Administration of The University of Arizona
*Passed in the Faculty Senate April 4, 2005***

I. SHARED GOVERNANCE

This Memorandum of Understanding, agreed to by faculty and administration, outlines principles of shared governance at The University of Arizona and is entered into freely by a faculty and an administration committed to a common vision of the mission of the University. This memorandum supersedes that previously signed by President Peter Likins on October 6, 1997, and by his predecessor, Manuel Pacheco on June 26, 1997, with the assent of the Arizona Board of Regents through its then General Counsel, Joel Sideman.

In an era of significant educational change, the success of the University and the positive morale of the faculty and administration are dependent upon continued use of the collective intelligence of the university community in planning and decision-making. Shared governance involves mutual participation in the development of policy decisions by both faculty and administration, and requires shared confidence between faculty members and administrators. This requires extensive sharing of information and a shared understanding that faculty representatives and administrators strive always for informed mutual support through shared governance dialogue.

Faculty consultation by the administration can take many forms and involve many different faculty members, depending on the issue at hand. The administration may choose to weigh the counsel of various faculty members or faculty groups differently, depending on the circumstances. The administration may consult with students and staff members and their organizations as well as faculty, and weigh their concerns variously. However, the official and primary overarching bodies with which the administration must be expected routinely to consult are the Faculty Senate and the Strategic Planning and Budget Advisory Committee (SPBAC). Both of these bodies consist of a majority of faculty representatives and are chaired by a member of the faculty. The respective jurisdictions of each of these bodies is set forth in the document, "Tracking of Proposals to the Faculty Senate or SPBAC," dated November 14, 2002 (see Appendix).

Within shared governance, a decision on a change in those policies under the jurisdiction of shared governance should normally be reached only after there is general acceptance of the policy proposal in either its original or modified form by both the administrator(s) and the appropriate overarching shared governance body for the issue in question. Depending on the issue, the appropriate shared governance body is determined by reference to the "Tracking of Proposals" document, noted above. General acceptance means that (1) the appropriate overarching shared governance body has been properly consulted and (2) has communicated its support for the policy to the President (or designee). In this process, a spirit of mutual respect between administrator(s) and the shared governance body – the taking of each other's positions into serious consideration – is the expectation. The President or designee(s), however, can make and announce a final decision without "general acceptance" provided he or she believes that every reasonable effort has been made to reach a common position through consultation and to be responsive and that such decision is necessary in the best interests of the University. In this circumstance, the President or designee is expected to explain the position taken.

The following guidelines are intended to elaborate further details in the way the faculty and administration address certain issues. These guidelines express a mutual desire to work together. They do not constitute a legal contract. It is intended that these guidelines be consistent with and not supersede Arizona Board of Regents Policies, including the Conditions of Service and Arizona Board of Regents Policies 6-910 and 6-201(J); the applicable provisions of the Constitution of the Faculty of the University of Arizona (1); the Revised Statutes of the State of Arizona (2); and other documents as described in Section II.

II. STRUCTURE AND PROCESS FOR SHARED GOVERNANCE

A. Budget and Strategic Planning

The Strategic Planning and Budget Advisory Committee (SPBAC), comprised of faculty, administrators, and other sectors of the University community as appropriate, shall be the university-level forum for shared governance on strategic planning and the projected budget. The projected budget of university funds will be formulated by the administration with faculty participation, reviewed by SPBAC, and publicly disclosed. At least half of SPBAC will come from the faculty, chosen by way of accepted faculty governance procedures. The SPBAC will receive input from the Faculty Senate as appropriate and make reports to the Faculty Senate. University budgets and records of University expenditures will continue to be open to all members of the faculty and the public, as required by law.

B. Academic and Academic Personnel Policies

Subject to the authority and responsibilities of the Board of Regents and the President, academic and curricular policies rest primarily with the faculty as represented by the Faculty Senate. The creation and elimination of programs and units relating to student affairs and admissions, faculty personnel policy, and the guidelines on salary policy are included within the jurisdiction of shared governance. An initial proposal to change academic or academic personnel policy may come from any source, but the formal consideration and development of such policy changes shall always be undertaken through shared governance arrangements.

C. Selection and Review of Academic Administrators and Academic Vice Presidents

The faculty and administration will play a collaborative role in the recruitment, selection and review of heads of departments, academic unit directors, deans, vice provosts, and vice presidents. The expectation is that these personnel decisions will take place only after proper shared governance dialogue with appropriate representatives of the faculty, who are expected to serve this role largely through membership on search committees. Furthermore, with respect to the selection or retention of a head or academic unit director, the position of the faculty shall be determined through procedures decided by the faculty of the respective department or unit. With respect to such decisions relating to academic deans, vice provosts, and vice presidents, the faculty shall be represented through faculty chosen by way of an elected faculty committee on committees at the respective college and university levels. Faculty representatives, chosen as per II, E below, shall comprise half or more of each search committee and each review committee. The remainder are appointed by the designated administrator. Extraordinary reviews shall be conducted by procedures outlined in the *University Handbook for Appointed Personnel*. It is the responsibility of all committees to ensure open faculty input, including the input of the appropriate elected faculty body.

D. Position Searches

The authority to engage University employees has generally been delegated by the Regents to the University presidents except that initial appointments of vice presidents require ABOR approval (see ABOR 6-910). Whenever appropriate, such as in search committees, faculty representatives will be required to and must abide by confidentiality requirements. Tenured, tenure-eligible, continuing, and continuing-eligible faculty, academic administrative and vice-presidential

appointments will be made following open competitive searches with selection based on merit and due consideration of intellectual and cultural diversity. This statement is not intended to prohibit "laureate" or otherwise uniquely qualified appointments made on the bases of approved non-competitive searches.

E. Faculty Representation

Representation of the faculty at all levels of University shared governance will be the responsibility of members of the faculty who have been chosen by direct election by the faculty or a faculty elected body, appointed by an elected faculty officer, or appointed by an administrator from a list of several nominated by the Committee on Committees. All representatives must abide by confidentiality requirements. Faculty members have the responsibility to participate in shared governance. In work assignments and performance reviews, their participation shall be recognized as service and given the weight necessary to ensure the success of shared governance.

If a substantial minority of any shared governance committee disagrees with any action taken by that committee, their position should be included as part of the committee's report or recommendations.

F. Process of Consultation

1. The overarching shared governance groups, and the ones referred to in the introduction of this document respecting general acceptance, are the Faculty Senate and the Strategic Planning and Budget Advisory Committee. The President or designee(s) should normally also interact with other individuals and organizations, such as the Appointed Personnel Organization Council, the Staff Advisory Council, the officers of the Associated Students of the University of Arizona, and the officers of the Graduate and Professional Student Council. Consultations should generally include one or more of the above representative groups and may extend further at the discretion of the administration. When any such group or the administration wants to suggest a policy or a change in an existing policy, there should be initial consultations involving leaders from all the representative groups concerned with the matter.
2. The overarching shared governance groups and the administration are responsible for insuring that any proposed policy, wherever it originates, shall be developed pursuant to the agreement. The President, Provost, Chair of the Faculty, and Chair of SPBAC should consult periodically about whether any policy changes coming under this agreement may be in gestation that

have not undergone the appropriate shared governance process in order that the process can and will take place in a timely manner.

3. In a case where differences arise between the administration and the appropriate overarching shared governance body concerning any policy recommendation in any area covered by these guidelines, the administration and that shared governance group will work to resolve those differences so as to attain an outcome that is generally accepted. If general acceptance cannot be reached among the parties involved, and the President or designee(s) believes that every reasonable effort has been made to be responsive and reach a common position, the President or designee(s) may proceed provided he or she determines that action is necessary in the best interests of the University.
4. Shared governance does not extend to management decisions, that is, the carrying out and implementation of policy according to the objectives and guidelines of that policy.
5. When and if there is a dispute over whether the adoption of a policy or its implementation has followed the terms of this document, a consultation will take place between the administration and the appropriate shared governance bodies subject to the terms of F.2 above and, if needed, Section G, below.
6. In the event that the President or designee(s) believes that an academic, educational or faculty personnel policy change must take place urgently, to the point of abbreviating normal shared governance procedures, the President or designee(s) will notify the Chair of the Faculty. To the degree possible, they will develop an expedited process of shared governance.
7. For the sake of confidentiality on personnel or other confidential matters, the administration has the right to determine the appropriate level of specificity of the information that is given to the shared governance bodies.
8. In those cases where the administration proposes to initiate any change in a policy or process covered within this memorandum, the President or designee(s) will begin by consulting the duly authorized leaders of the appropriate shared governance and representative groups. During that initial consultation, if information arises that bears on personnel matters (as opposed to policy or process), the shared governance representatives agree in advance to keep that information confidential and communicate to their

constituents only those elements of the proposal that are authorized for disclosure by the administration.

G. Shared Governance Review Committee

With the purpose of enhancing the smooth operation of shared governance, a review committee composed of the Chair of the Faculty, the Chair of the Strategic Planning and Budget Advisory Committee, the Presiding Officer of the Senate, two Senators (elected by the Senate), one additional member of SPBAC (chosen by the Chair of SPBAC), the Provost, and two other members of the administration chosen by the President shall be established. Its purposes are to address issues regarding the implementation and functioning of the procedures contained in this document, to recommend a process to review compliance with this agreement, and to make recommendations toward more effective working of shared governance.

The Shared Governance Review Committee can review allegations that there may have been a breach of this agreement by any party to it. In the event the Committee feels there may have been a breach after careful consideration with all parties involved, it will ask for a consultation involving the Committee, the parties involved, and the President or designee(s). This consultation will attempt to provide recommendations that will strive to resolve the matter. If a resolution cannot be found, the shared governance groups at the University of Arizona may then follow their own procedures to address the unresolved issues.

H. Involvement of Students, Staff and Professional Personnel

The involvement of students, professional personnel and staff in shared governance is defined by the "Plan for Extending Shared Governance," April 27, 1998 (<http://w3fp.arizona.edu/senate/ShGovExtending.html>).

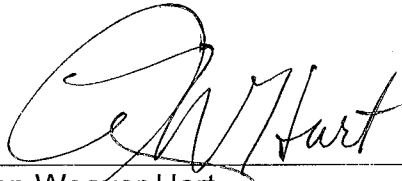
I. Consistency with Other Documents

These guidelines are subject to the applicable provisions of the Arizona Revised Statutes and the Arizona Board of Regents policies, and shall be interpreted consistently with the Constitution and Bylaws of the Faculty of the University of Arizona, and the *University Handbook for Appointed Personnel*.

However, the guidelines are built upon principles of shared governance developed after the Constitution and UHAP were instituted. Therefore, these guidelines provide a framework, which may be used to suggest amendments designed to conform with the principles of shared governance.

J. Continuing Structure and Process

Principles of shared governance shall be fostered within the colleges and units, in a form appropriate to the circumstances of each college and unit, but consistent with aims and objectives of shared governance.



Ann Weaver Hart
President 2012-

Date


9.15.14



Lynn Madel
Chair of the Faculty 2014-2016

Date

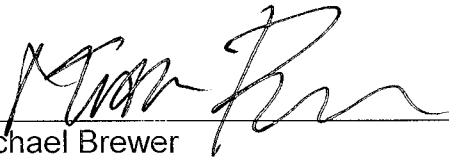
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Andrew Comrie
Provost 2012-

Date

9/15/14



Michael Brewer
Vice Chair of the Faculty and
Presiding Officer of the Faculty Senate
2014-2016

Date

9/15/14

NOTES:

1. From The Constitution of the Faculty of the University of Arizona: "The general faculty has fundamental responsibilities in the areas of academic personnel policy, instruction and curriculum policy, research policy, student affairs policy, ethics and commitment, advice on budget and university support, and acts on such matters affecting the welfare of the University as are brought for consideration in accordance with University policy."
2. From Arizona Revised Statute § 15-1601(B): "The Universities shall have colleges, schools and departments and give courses of study and academic degrees as the Board (of regents) approves. Subject to the responsibilities and powers of the Board and the University Presidents, the faculty members of the Universities, through their elected faculty representatives, shall share responsibility for academic and educational activities and matters related to faculty personnel. The faculty members of each University, through their elected faculty representatives, shall participate in the governance of their respective Universities and shall actively participate in the development of University policy."