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 Date XX, 2019

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 those previously signed by Presidents and the faculty dating back to 1997.

In an era of significant change in higher education, the success of the University and the positive morale of the faculty and administration are dependent upon the collective intelligence of the university community in planning and decision-making. To succeed, shared governance requires shared confidence between faculty members and administrators. This requires transparency, the extensive sharing of information, and the goodwill that faculty representatives and administrators are committed to ongoing shared governance dialogue.

Depending on the circumstances and issues at hand, consultation by the administration can take many forms and involve many different faculty members. Subject to this Memorandum and University policy, the administration may choose to weigh the counsel of various faculty groups or members differently. The administration may also consult with students and staff and their respective governance bodies, as well as with other faculty. However, the primary bodies with which the administration must routinely consult are the Faculty Senate and the Strategic Planning and Budget Advisory Committee (SPBAC). Both of these bodies have majority faculty representation and are chaired by a member of the general faculty.

A central goal of shared governance is mutual participation in policy development and decisions. Decisions on changes in policies under the jurisdiction of shared governance, or the development of and decision on new policies, 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 shared governance body for the issue in question. The President or designee(s), however, can make and announce a final decision without “general acceptance” provided they believe that every reasonable effort has been made to reach a common position through consultation and that such decision is necessary and in the best interests of the University. In this circumstance, the President or designee shall explain the position taken to the faculty.
The following guidelines do not constitute a legal contract but are intended to inform the process through which the faculty and administration work together to address certain issues. They do not supersede Arizona Board of Regents policies, including the Conditions of Service and ABOR 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 detailed in the Faculty Bylaws, shall be the university-level forum for shared governance on strategic planning and the projected budget.

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, reorganization, merger, or elimination of programs and academic units; academic personnel, research, or student affairs policy; and guidelines on faculty compensation are all included within the jurisdiction of shared governance. An initial proposal to change these policies may come from any source, but the formal consideration and development of such policy changes shall always be undertaken through shared governance processes.

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. It is expected 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. With respect to the selection of a department 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 searches for or reviews of academic deans, vice provosts, and vice presidents, faculty representatives, chosen as per Section E below, shall comprise half or more of each search committee and 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 hire University employees has generally been delegated by the Regents to the University presidents. Tenured and tenure-eligible faculty, continuing and continuing-eligible academic professionals, and academic administrative appointments will be made following open, competitive searches with selection based on merit and due consideration of diversity. This statement is not intended to prohibit "laureate" or otherwise uniquely qualified appointments made on the basis of approved non-competitive searches.

E. Faculty Representation

Faculty members have the right and 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.

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 an elected faculty officer or body. Administrators who are also faculty may be included in this representation, assuming they are selected through the above process.

If a substantial minority (more than one third) 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 are the Faculty Senate and the Strategic Planning and Budget Advisory Committee. The President and Provost or designee should normally also interact with other individuals and organizations, including University Staff, the officers of the Associated Students of the University of Arizona, and the officers of the Graduate and Professional Student Council. 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 of the representative groups with a stake in the matter.

2. The overarching shared governance groups and the administration are responsible for ensuring that any proposed policy, wherever it originates, shall be developed pursuant to this MOU, UHAP, and ABOR policy.

3. When differences arise between the administration and the appropriate overarching shared governance body concerning any policy recommendation in an 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 they he or she determine that action is necessary and in the best interests of the University. In this circumstance, the President or designee(s) shall explain the position taken to the faculty through the Faculty Senate.

4. Shared governance principles do not extend to management decisions (the carrying out and implementation of policy according to the objectives and guidelines of that policy).

5. 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. If 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 shared governance process.

G. Shared Governance Review Committee

The Shared Governance Review Committee reviews allegations of any breaches of this agreement by any party to it and may make recommendations toward more effective working of shared governance. It includes the Chair of the Faculty, the Chair of the Strategic Planning and Budget Advisory Committee, the Vice Chair of the Faculty, 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.

H. Continuing Structure and Process

These principles of shared governance shall also 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.
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.”