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TAILORING SHARED GOVERNANCE TO THE NEEDS AND OPPORTUNITIES OF THE TIMES
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ABSTRACT

Shared governance between the administration and faculty has been traditional for most public universities, but varies considerably in its nature and effectiveness. In the United States it probably takes its most structured form at the University of California. There are good reasons for having shared governance, and yet it tends to be poorly understood outside the university environment and to cause substantial tensions within the university itself. Several trends and issues are identified that pose both significant challenges and substantial opportunities for shared governance. Ways of addressing these and advancing the efficacy of shared governance are put forward and assessed.

Keywords: Shared Governance, Academic Senate, Faculty Participation, University Governance

INTRODUCTION

Shared governance is a feature of many universities in the western world, particularly public universities. In the United States the term implies that the administration of the university and the faculty share governance through means such as consultation, advice and even direct delegation of certain roles and decisions to the faculty. For this purpose there is typically a faculty organization, most often known as an Academic Senate.

The purpose of this paper is to review the value of shared governance, to identify areas that present issues with regard to shared governance, and to examine a number of ways, primarily structural and procedural, by which shared governance can be made most effective. Although my 50+ years of experience have been as a faculty member and administrator at the University of California, I am writing about shared governance in general, rather than specifically about the University of California. My recommendations do not imply what is or is not currently done at the University of California, although I do cite examples from the University of California by virtue of my own experience. My primary intended audiences are those in faculty senates and university administrations at any institution who would like to make shared governance more effective, as well as anyone who would like to develop a better understanding of shared governance.

The Value of Shared Governance

In research universities members of the faculty are selected and rewarded on the bases of their creativity and knowledge of particular subjects. The faculty as a whole is a body of wide and deep expertise, which is in itself useful in many aspects of governance. Further, it is the members of the faculty who are most familiar with the academic needs and opportunities in their specific disciplines and sub-disciplines.

The reputation of a university is essentially the sum of the reputations of the individual faculty members. The faculty is also the continuing body of a university, with members often having faculty careers of forty years or more. Members of the faculty are thereby invested in the university, and have concerns both about the viability and stature of the university and about the ways in which the university enables and supports their own careers. Shared governance is a way of involving the faculty systemically in the governance of universities, enabling the faculty to maintain the high academic standards of a university, reaping their very substantial knowledge and creativity in connection with governance, and increasing their senses of allegiance and ownership. Effective academic senates have also lessened drives towards faculty unionism.

Furthermore, in a university with extensive and well defined and understood shared governance, disagreements between faculty and administration are much less likely to rise to a level that ultimately brings about a crisis of leadership of a university due to faculty discontent, a situation that occurs unfortunately often in universities without strong shared governance. Effective shared governance can also facilitate accomplishing something onerous or difficult. For example, it has been noted that shared governance played a substantial role in amicably accomplishing the 26% budget cut that occurred within the University of California during the depression of the 1930s (Douglass, 1998). Rapid and efficient use of shared governance was not only valuable but absolutely essential at certain points in my own administrative career, most notably the immediate aftermath of the University of California Regents' 1995 restrictions against any use of race in admissions (Prusser, 2004).

The usual general division of responsibilities in shared governance is that the faculty and their designated organization oversee the academic program and other academic issues, including selection and advancement of faculty, while the administration oversees budget, finances and general administration. Where issues affect both budget and academics, there can be shared responsibility.

Issues, Opportunities and Problem Areas

First of all, the nature and structure of shared governance are quite variable from one university to another, and the extent to which it is valued and recognized as effective also varies considerably from university to university. In general it is valued most and felt to be effective where there are well established structures and histories of strong faculty participation and accomplishment. If shared governance is not generally well regarded and effective, it is probably because a clear established structure and record of effectiveness are missing.

Most persons outside university communities have never heard of shared governance, and those who have tend to have only a rudimentary understanding of it. Shared governance has also generated concerns within the university community. It is thereby a controversial subject. Comparable shared governance is not common (but is not non-existent) in other segments of society, and is most notably absent in the business world except in rare cases of worker-participation experiments and some cooperatively-run enterprises. As a result, those within other sectors, upon hearing of its dimensions, tend to regard shared governance as ineffective, inefficient, and even unworkable. There can be perceptions that shared governance inhibits change of any sort, that it is a cumbersome and slow mechanism functioning largely so as to minimize unhappiness among the faculty, and that it provides the faculty with undue influence on university decisions, despite there being other important needs and constituencies of the university.

Shared governance adds layers of, and requires time for, consultation and thereby can slow down decisions. It can also effectively limit the range of actions open to the leaders of a university. These are not in themselves factors that are necessarily negative, since multiple minds can improve decisions and since it is surely possible that leaders can have desires that do not ultimately make good sense. But the extent and time consumption of consultation have been among the factors that have been troublesome for administrators and make it difficult for those outside the academic community to understand the value of shared governance.

It is particularly appropriate now to address the ways in which shared governance can evolve to serve the challenges of the times better. The timeliness stems from several trends:

- The arrival of new capabilities resulting from large and rapid advances in information technology,
- Stringencies in government funding for public universities in the western world and the complexities that come from ever increasing needs and varied approaches for generating other revenue in support of the public mission,
- General feelings in many different sectors of society that universities need to and will necessarily change, and
- Frequent recent observations that shared governance, at least in its present forms, inhibits or prevents that change.

We should seek mechanisms for shared governance that work well, make full use of current and evolving capabilities, and create means of governance that can be explained to and appreciated by the rest of the world. If we cannot make the case for it, we run the risk of government, trustees or regents, and/or even university leaders taking steps that effectively preclude effective shared governance.

The University of California

It is generally recognized that shared governance occurs in its most structured form at the University of California (UC). I have participated in shared governance at UC and its Berkeley campus in many facets during what is now a career there of over fifty

years. My participation has nearly always been as a member of the campus or the university-wide administration. Hence from the administration standpoint I am an insider. From the Senate standpoint I am an experienced and informed outsider, looking in. I support shared governance and the needs to do it as best can be done.

Since my experience has been almost entirely at the University of California, my thoughts and suggestions are necessarily couched in the nature of shared governance at that institution. For that reason I describe very briefly, as background, the nature of shared governance within UC. The Academic Senate exists at the all-university level and also as Divisions on each campus. The main body at the all-university level is the Academic Council, composed of the Chairs of each of the campus Divisions, chairs of major university-wide Senate committees, and an elected Chair and Vice-Chair (incoming Chair) of the Academic Council itself. In addition to presiding over the Academic Council, the Chair and Vice Chair have seats at the meeting table of the Regents of the University of California, engage fully in discussions, and can present Senate views, without however being voting members. Similar bodies exist for each of the ten campus divisions. The ultimate university-wide policy-approval body for the Senate is the Assembly of the Academic Senate, comprised of elected representatives from the campuses along with the campus Division chairs and the university-wide Senate officers. In a sense, the Academic Council is the executive arm of that legislative body. Both the Academic Council and the Divisions have large numbers of committees on various subjects, ranging from Planning, to Academic Personnel, to Libraries, and even to Parking. All ladder (tenure-track) faculty members are members of the Academic Senate. At the campus level, typically but not at all campuses, two elections are held annually – one for the Committee on Committees (the nominating committee) and the other for some of the members of the Division Council. Otherwise positions are filled *ex officio* by officers of the Senate or are filled by the Committee on Committees. The system is designed to discourage undue influence of any one or few people on the outcomes of Senate deliberation processes.

The Regents of The University of California have formally delegated certain matters to the Academic Senate of the university. These include the conditions for admission, certificates and degrees, courses and curricula, determination of the Academic Senate's own membership and organization, and creation of a committee to approve the publication of manuscripts by the University of California Press (Regents of the University of California, 2013). Advising the President and Chancellors on budget and the administration of the libraries, and having the right to lay before the Board of Regents, through the President, views on any matter pertaining to the conduct of the University are also explicitly mentioned in the Standing Orders of the Regents. In practice, the administration brings virtually all major matters pertaining to the administration of the University to the Senate for its advice. Although it is not explicitly stated, the Academic Senate has the primary role in the review of tenure-track faculty members for promotion and advancement, with the advice of the pertinent Senate committee in that regard nearly always being followed by the administration. Advice in other areas is taken seriously but is not as controlling as it is in the area of promotion and advancement of faculty.

The nature of shared governance within the University of California has been described in more detail by Douglass (1998) and Simmons (1995).

CURRENT ISSUES AND OPPORTUNITIES

Some of the major current issues that bear upon shared governance directly or indirectly are the following.

- There is a growing perception in the media and at large that universities are inherently ungovernable and are unduly resistant to change. Such impressions are based on superficial judgments and are attributable in large measure to the complexities of shared governance and perceptions that faculty resist change, with consequent decisions that generate the least displeasure among the faculty. As well, there is a view that faculty members are focused upon their individual concerns and in general lack skill or interest in overall institutional governance (Trakman, 2008). Smelser (2013a) has pointed out that one result of the difficulties of change is that universities suffer from a phenomenon of accretion, whereby they continually take on new roles without dropping old ones.
- Public universities in the United States are currently under severe financial stress, relating to reduced state funding. They have to change, if only to keep the budget balanced. More generally, feelings have been expressed that the complexity of modern universities and the need for rapid decision making have outstripped the traditional methods of shared governance (Duderstadt, 2001, 2007a). Smelser (2013b) has recently delineated a number of more specific ways in which shared governance in the traditional sense has been eroded "by drift" over the years, resulting from various changes in the needs of, and environment for, universities. Weber (2001) goes still further to say that the [academic] "senate has become much too large today to have any positive influence, apart from ethical considerations regarding the profession". Duderstadt and Womack (2003) state, "The contemporary university is too complex and fragmented to allow for substantive faculty involvement in the broader governance of the university." These feelings of unworkability are by no means universal, but they do get expressed.

- Rapid advances in information technology have greatly increased the options open to universities. This applies not only to the ways of carrying out the university mission, but also to the ways of working internally within universities.

Some other issues are more longstanding.

- Shared governance tends to be slow, because there are a great number of people to consult and because there may be layers of successive consultation.
- The positions taken by the Senate in shared governance can change over time and be inconsistent, due in part to annual turnovers of leaders and committee members. (The aim at the University of California is to mitigate any such effects by keeping any one or few people from having prime influence over Senate advice.) Of course, the administration turns over from time to time also, with similar results.
- Specific to the University of California and other multi-campus universities and university systems, shared governance can occur at multiple levels, with different advice being given at the different levels. This can lead sometimes, but by no means always, to a long, drawn-out, sequentially iterative process. A recent example within UC is the proposal to “privatize” the Anderson School of Management or the MBA degree at UCLA (Tierney, 2012), which led to an extended process of over three years, with different Senate advice at different levels of the university and with substantial periods of administrative contemplation as well. (The point here is not to address the ultimate decision, which, although controversial, was arguably well honed during the process. Instead the point is that the sequential and iterative process took a long time, which may not be available for many issues.)
- Structured and effective shared governance clarifies the role of the faculty in the governance and determination of the future of a university. However, the faculty is not the only internal constituency of importance. For example, the students, the non-academic staff, and non-Senate instructional staff and also important, but usually do not have such structured means of input as do the Senate faculty.
- Shared governance involves substantial faculty time and is thereby expensive. Quantitative estimates of the overall portion of faculty time going into shared governance are in the range of 11 to 15% (Lyall, 2001a; Garland, 2009). On the other hand, typically all that can be gained by lessening the faculty time spent on shared governance is more faculty time to do other things, rather than a need for a lesser number of faculty members. Thereby the trade-off may be more with the quality of education and/or the reputation of the university, rather than reusable dollars.
- A cynical view is that Senate work draws only a small fraction of faculty and mainly those with personal agendas and/or a political bent. Weber (2001) extends this concern to say that “faculty in their collective behavior have a tendency to be individualistic, self-centered and shortsighted; therefore, they should not have any decision power regarding strategic issues”. By and large, that is not what I have experienced within UC. However, to the extent that this situation occurs, it is an argument for making Senate service more attractive for those members of the faculty who are most capable in shared governance and/or lightening the time commitment needed for effective participation (Duderstadt, 2007b).

Results of extensive surveys of four-year colleges and universities regarding shared governance are reported by Tierney and Minor (2003a) and by Kaplan (2004a, 2004b). One striking result is evidence of widespread non-interest in and/or dissatisfaction by faculty with Faculty Senates, particularly at doctoral-level universities, for which only 19% of respondents agreed that faculty members had high levels of interest in Senate activities (Tierney & Minor, 2003b). This result may reflect the wide variation among universities in the nature and effectiveness of shared governance and/or the multidimensional pressures on research-university faculty members, many of whom are in effect proprietors of small businesses that involve securing and nurturing grants from multiple sources in support of their research.

AVENUES FORWARD

Reflecting my belief that the value of shared governance substantially outweighs the negatives, the remainder of this paper will be devoted to identifying and exploring avenues that can enhance the structure, effectiveness, efficiency, and/or speed of decision making in shared governance, as well as making it more understandable to, and appreciated by, the world outside universities.

Delineate Roles and Expectations, and Make Them Real

Both for effective interactions between the faculty body and the administration and for public understanding, it is important to have an explicit written description of who does what in shared governance, what parties have what roles, what the expectations are, what is simple advice and what is more than simple advice, and how these may vary among different sorts of issues. For example, Weingartner (2011a) delineates three different types of collaborative decision making – *Consultative Decision* where

the faculty should be consulted but the administration is determinant, *Codeterminative Decision* for which the faculty organization should advise and consent (as is the role for the U. S. Senate in certain Presidential appointments), and *All but Determinative Decision*, where a faculty decision is overruled by the administration only for strong reasons explicitly stated. What forms of governance and what decisions are in which category should be well understood. An explicit written document can serve as a continual point of reference and should minimize misunderstandings of roles. Clark Kerr (2001a) noted such a need even for the University of California, despite it being a university where shared governance is more structured and for which some written descriptions do exist. Vagueness generates controversy and unhappiness.

A related concept is that Senate functions should be real and should have clear impact, as has also been observed by Weingartner (2011b). Not only does this promote the goals of shared governance; it also provides a strong and attractive rationale for participation in shared governance by the most capable, and hence busiest, faculty members.

A simple, convincing statement of the rationale, roles, and mechanisms for shared governance should be available for the public and could then be provided to the media at pertinent points in time.

Engender and Enable Changes to Meet Evolving Needs and Opportunities

Simmons (1995) notes, "Like any dynamic organization, the Academic Senate must be responsive to change through an ongoing evaluation of its organizational structure, with an eye toward streamlining its operations. This is a continuing challenge to Senate leadership." To this I would add that it is equally vital that the Senate and the administration work together to identify changes in their modes of interaction that can better meet evolving needs and conditions. A discussion among principals of the Senate and administration expressly for that purpose at the beginning of each academic year could be a useful mechanism, along with continued dialog during the years by the principals of the administration and the Senate. As drivers and opportunities evolve it is important to examine modes of operation and interaction. Some examples of current relevant changes include the expanding capabilities of information technology, state funding stringencies and the resultant diversification of the base of finances and constituents of the university, and the very different habits and uses of social media by succeeding generations.

Seek Ways to Expedite the Consultation Process

As already noted, one of the hindrances to effective shared governance is that events and the need for decision can move faster than the consultation process does, especially if there are successive layers of consultation or multiple relevant committees. There are several approaches that can be explored to speed things up. First, modern information technology offers the possibilities of putting all relevant information on-line (see below). Hurdles of finding a meeting time, dealing with travel schedules, and differences in time zones can all be overcome by the capabilities of modern information technology. When there are successive layers of consultation, e. g., both all-university and campus levels within the University of California, simultaneous rather than sequential processing could be utilized. This applies to considerations by both the administration and the Senate, as well as to interactions between the administration and Senate. In this way, concerns expressed by those involved at the higher levels can be known and taken into account more efficiently by those in the process at lower levels.

Serving as a principal officer of the Senate is both time-consuming and filled with pressures because of the large number of and highly varied constituents and issues. The principal officers of the Senate are the ones who can move things along within the Senate. It is a small and very worthwhile investment to provide sufficient released time to these officers so that they can do their jobs most efficiently and effectively.

At times a school of thought within Academic Senates is that the Senate should maintain a fully arms-length relationship with the administration so as to assure independence. That approach leads to the Senate operating on the basis of limited information and also to slower consultation. It does not fit today's world well.

Subsidiarity and Correspondence

The term *subsidiarity* (Føllesdal, 1998) connotes that matters and decisions should be handled by the smallest, lowest, or least centralized authority capable of handling the matter effectively. Among the results should be more informed decisions and less remoteness of governance. It is an explicit organizing principle of the European Union (Bermann, 1994), the Catholic Church (Visher, 2001-2), and a variety of other multi-tiered organizations. Although the word has gotten caught up in politics in the United States and elsewhere recently, the essential sense of the concept of subsidiarity is still there with meanings that do not correspond with much of the political rhetoric (Visher, 2001-2). It has particular relevance to institutions, such as universities, where the principal strength lies at the grass-roots level, i. e., the faculty. It has the greatest implications for large and complex organizations, which include many universities and university systems.

Diminished support from the public treasury and consequent multiplication and diversification of revenue streams have added to the already substantial complexity of modern public university. For university systems, revenues from sources other than the state must largely be obtained at the campus or even department, level, rather than by the system, and the specific sources are unique to the campus or department. The governance structure should recognize this fact, and board and administrative decisions should be delegated accordingly. For the University of California, administrative decentralization has already proceeded to a large extent through a series of changes over the years.

Delegation from the system-level to the campus level for the Academic Senate should correspond to board and administrative delegations, so that consultation occurs at the appropriate level. For the University of California the last major changes in Senate organization were made in 1963 when the move was made to covert from the then-existing Northern and Southern Divisions to individual campus divisions of the Academic Senate (Kerr, 2001b), and when Division Councils and various committees were then created on the campuses. It should be productive for the Senate continually to examine its structure, delegations, and roles at various levels in light of the administrative decentralization that has occurred during recent decades.

One trend during the fifty years that I have been associated with the University of California has been for the Academic Senate to make more use of elected representatives and councils. This has been a natural result of the increasing size of UC. Over the very long term, the Senate has gone from relying upon meetings of the full membership, to the Northern and Southern Divisions, to campus divisions, and to leadership councils at both the all-university and campus levels. It should help the Senate in its work to find ways to examine continually the sorts of issues for, and the means by, which it can enable its leaders to act in an informed fashion for the Senate when time is short.

Interactions between Administration and Senate

The most common stereotypical negative views about shared governance are that the administration tries to stiff-arm the Senate and that the Senate is inherently naysaying to change. For effective shared governance these descriptions do not pertain. However, both parties must take steps to avoid either the reality or the perception of these images. The administration should bring important current issues of governance to the Senate, but the Senate should also take the initiative in raising issues upon which they believe the administration may be working but which have not yet come to them from the administration formally seeking advice. The Senate should look for ways of responding on issues that suggest ways forward as opposed to an impasse.

For efficient and knowledgeable operation, it is important that all parties have access to the complete information base underlying an issue under consideration. This approach will avoid misconceptions stemming from incomplete or erroneous information or from the information being spread by word of mouth. Fortunately, the arrival of the information age makes this easy to accomplish. It should be the responsibility of the initiating party (presumably the administration) to assemble the initial information base, to which there can then be additions from either party. For sensitive issues the information base could be protected by a password given only to those involved in the consideration process. Sharing a full information base should also reduce instances of disagreement between the Senate and the administration, reflecting the Jeffersonian view that people acquainted with the same information fully are more likely to be of common mind and to reach good decisions.

At UC and doubtless elsewhere, substantive Senate communications with the administration have traditionally been accomplished by memo, although there are also meetings for discussion between the Senate Chairs and Vice-Chair and the President, Provost and sometimes others. The memos do serve to create a needed written record of interactions, but they are not as efficient as conversation nor do they clear up misunderstandings or assure that both parties have a good familiarity with all the background that might bear upon a decision. One way of enabling both parties to have a sufficient knowledge of the factors involved in a decision is the information bank described above. But conversational interaction in addition to memos is also vital, including both regular and ad-hoc meetings between Senate principals and individual administration leaders.

There are additional steps that can be taken to increase the familiarity of the Senate leadership with the breadth and depth of administrative matters and their dimensions. At the Office of the President of the University of California the two Senate leaders occupy offices on the same floor of the building as the President and the Provost and meet with them regularly, in addition to the President and Provost and some other administrative leaders meeting with the full Academic Council monthly. During most of the time that I served as university-wide Provost (1995-2004) and at the initiative of President Richard Atkinson, the Chair of the Academic Council participated in the President's weekly cabinet meeting with the senior members of the administration. This was a two-hour period during which all the major issues of the day were taken up. It therefore provided a very effective way of keeping the Senate leadership up on things.

Another technique that has been used occasionally in times of particular urgency is to create joint bodies of the administration and Senate. This can be done without forsaking the roles and independence of either party; it serves primarily as a mechanism for active discussion and resolution of issues and concerns. At UC, we did this very effectively after the passage of the 1995 Regent's resolution banning preferences in admissions (Prusser, 2004), which had created both a complex situation and a need for rapid and concerted action. The same approach has been taken for some standing committees, e. g., an Academic Planning Council and formerly an Executive Budget Committee at the university-wide level, both of which are/were joint administration-Senate bodies.

For issues where the Senate role is advisory rather than determinative, the Senate should make any substantially held minority positions within the Senate known to the administration as part of consultation. The reason is that complex situations should not be reduced to a single Senate position. That is only fair to significant minorities within the Senate. As well, the administration should be made aware of the full spectrum of opinion within the faculty so as not to be blindsided on issues. At UC numerical votes at full meetings of the campus divisions and votes of the Assembly of the Academic Senate generally become known; however, the Academic Council and corresponding Division Councils act as executive bodies taking single stances, and votes within them are typically not known. It would help if those votes were disclosed and substantial minority positions relayed and explained. This could be viewed as reciprocity for the inclusion of the Senate Chair in meetings of bodies such as the President's Cabinet and/or the various other means by which the spectrum of views within the administration becomes apparent to the Senate.

A vivid example of damage resulting from the administration not being made aware of the spectrum and weights of views within the faculty occurred before the loyalty oath controversy of the 1950s at the University of California, as described by Gardner (1967) and Blauner (2009). The crisis might not have occurred had the range and strength of views been made known. Careful reporting of the spectrum of opinion can also be useful for maintaining of the Academic Senate's role as the principal faculty organization. This will lessen the likelihood that splinter and/or union-like organizations will form to advocate on particular issues on which adherents believe the Senate is not representing them correctly.

Also reflecting their partnership in governance, both the Senate and the administration should make it a high priority to be constructive in their relations with one another. In that way they can work effectively together to address and solve important issues and meet opportunities, rather than adding to the problems and difficulty of the other party.

In both their dealings with one another and in their internal workings, the Senate and administration should allow for the continual generational shift among the faculty and administrators with regard to their working habits. This includes areas such as means of communication and working through issues (e. g., social media), expectations, and what will generate interest among faculty to become involved in Senate workings.

The Players

Much scrutiny and consideration go into the selection of academic administrators. The same should be true for leaders within the Senate. Yet views are sometimes expressed that the leaders of Academic Senates can be a self-interested subset of the faculty, not reflective of the entire body (Lyll, 2001a; Weingartner, 2011c). Such an image would not serve an Academic Senate well. If either the administration or the Senate finds itself unable to draw in the most respected and capable persons, that is indicative of a substantial problem, and the university as a whole should look inward to assess the cause and work to bring the situation back to what it should be.

CONCLUSION

Effective shared governance is important for the well-being of universities. Although it poses difficulties, delays, and other limitations at times, the advantages of shared governance considerably outweigh the disadvantages. It is important to make sure that the structure and practice of shared governance meet the needs and opportunities of the times and thereby continually evolve. It is also important that the value of shared governance and how it works be clearly communicated to the public when that is needed. Avenues for examining, assessing and improving shared governance include written delineation of roles and expectations in clear form, engendering and enabling changes in working methods to meet evolving needs and opportunities, seeking and implementing ways of moving the consultation process along more efficiently and rapidly, adherence to principles of subsidiarity of governance and correspondence of levels of consultation, continual reexamination of the ways in which the faculty senate and the university administration work together, making full information on issues available to both the administration and the faculty, reporting the spectrum of views within the Senate to the administration, assuring that participation in faculty senate work is attractive throughout the faculty, and finding ways to rectify the situation if that is not the case.

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