

Report

Faculty Senate Shared Governance Analysis Ad Hoc Committee

March 21, 2014

(revised draft)

Timeline

Members of the Committee

Introduction

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Section 6 The Committee's Findings on Issue 6

Appendix 1 A Reaffirmation of Shared Governance at FGCU Approved by President Wilson Bradshaw, October 18, 2012

Appendix 2 Excerpt from the SACS Resource Manual

Timeline:

November 4, 2013	Ad Hoc Committee created
November 25, 2013	first meeting
January 8, 2014	committee meeting (guest: Associate Provost Paul Snyder)
January 22, 2014	Strahorn made chair of the committee
February 5, 2014	committee meeting (guest: Provost Ron Toll)
February 19, 2014	committee meeting
March 17, 2014	Strahorn meeting with Associate Provost Snyder
March 19, 2014	committee meeting

Members of the Committee:

Scott Anstadt, Derek Buzasi, Nora Demers, Nicola Foote, Eric Strahorn, Arie van Duijn, Claude Villiers

Introduction

When the Faculty Senate Shared Governance Analysis Ad Hoc Committee was created it was charged by Senate President Shawn Felton to

- 1) Examine and document practices over the past two years that were successful models of Shared Governance at FGCU
- 2) Examine and document practices over the past two years that were unsuccessful models of Shared Governance at FGCU
- 3) Examine and identify times when Shared Governance opportunities existed, but were not engaged in
- 4) Identify strategies to facilitate shared governance
- 5) Identify strategies to ensure shared governance continues
- 6) Propose a policy that could be implemented
 - a. This must occur no later than June 2014 so as to be implemented prior to SACS Compliance certificate. Goal April 2014

In his email to the members of the committee, President Felton noted that “One of the Senate initiatives for 2013-2014 is to examine ‘Shared Governance’ in practice at FGCU over the past two years. This is designed to be a proactive approach since FGCU has an approved statement.” (See Appendix 1 for the statement)

In its examination of issues 1-3, the committee met with both Ron Toll and Paul Snyder from Academic Affairs. In our conversations, we discovered that faculty and administrators see shared governance very differently and that when they talk about shared governance they are not always talking about the same thing. When possible the report will identify those areas where these two stakeholder groups agree and disagree. It is critical that all sections of the university committee embrace a common understanding of shared governance. It is towards this goal that the committee offers its recommendations in sections four, five, and six.

The policy proposal in section six is the committee’s revision of a draft policy initiated in Academic Affairs. This policy is intended to meet SACS requirement “3.7.5. The institution publishes policies on the responsibility and authority of faculty in academic and governance matters. (*Faculty role in governance*)” (See Appendix 2)

The committee did attempt to reach out to staff and students but was unable to schedule meetings with representatives from student government or the Staff Advisory Council.

This report is divided into six sections devoted to each of the items in the committee’s charge followed by two appendixes.

Section 1 The Committee's Findings on Issue 1

Issue 1: Examine and document practices over the past two years that were successful models of Shared Governance at FGCU

The following discussion is not intended to be a comprehensive list of events. Instead we have selected what we consider to be useful examples of successful shared governance. The committee differed quite substantially with Provost Toll over what qualified as examples of successful shared governance.

Both the committee and the Provost agreed that models for successful shared governance include

- 1) The process followed to select Canvas as the replacement for Angel. Faculty were actively involved in the decision and there was good communication between stakeholders.
- 2) The process used to make decisions about the remodeling of Merwin Hall and the effort to move faculty from offices in Modular Building 1 to Merwin. The process itself wasn't ideal (communication between stakeholders was poor at the beginning but improved over time) but there is general agreement that the results are adequate. However, it should be noted that Mod 1 needs to be retired and the remaining faculty (and those who will be joining us) should be moved to more suitable offices as soon as possible. This will require close collaboration and cooperation between the administration and faculty.

There were also examples that the committee identified as successful moments of shared governance that were not mentioned by representatives from Academic Affairs. The textbook policy, for example, was considered to be a moment in which a (perhaps misguided) state mandate was responded to in an inclusive manner, with input from all relevant stakeholders, and where kinks in the process continue to be refined. Likewise, there were examples that the Provost cited as examples of successful shared governance that were not on the committee's own list, but which we agreed were successful models. These included the selection and development of the topic for the QEP; the Resolution in support of Academic Freedom; the Dean's searches and the distance learning policy.

However, there were examples noted by the Provost as examples of successful shared governance that the committee did not view in the same way. For example, Provost Toll told the committee that he believes that the creation of the Planning and Budget Council (PBC) and its subcommittees is an example of successful shared governance. He noted that it was improved when the Senate created the SBPBC committee. He believes that the PBC has become an unqualified success. The provost cited the statistic that 92% of proposals made by the PBC have been accepted by the President's Cabinet. The committee disagrees. The committee notes that while the PBC does have some faculty representation it acts as a parallel governance structure that rarely interacts with the Faculty Senate or Staff Advisory Council. Moreover, the faculty as a group are not well represented on the PBC since all of the faculty representatives on the council belong to

only one college. In addition, the PBC does not appear to meet regularly. In Fall 2013, for example, four of the scheduled seven meetings were canceled. Moreover, the PBC itself does not communicate its activities to stakeholders but depends on individual members of the council to report back to their constituents.

Section 2 The Committee's Findings on Issue 2

Issue 2: Examine and document practices over the past two years that were unsuccessful models of Shared Governance at FGCU

The committee identified numerous examples of unsuccessful shared governance. Some of these examples include

- 1) The reallocation of space in Griffin Hall after the departure of Health Professions faculty to Marieb Hall. Provost Toll and the committee agree that this process was handled badly. The provost attributes it to poor communication while the committee believes the decision reflects an indifference to faculty concerns on the issue by the administration.
- 2) The decision to conduct Level Two background checks (including finger prints) of all university employees. This decision was made in response to a new state law requiring background checks of all university employees. It proved controversial as many university employees considered the administration's interpretation of the law to be a violation of privacy. This decision is contained in policy 3.037. The administration revised policy 3.037 after an outcry from the university community, but retained the mandatory Level Two background check. Critics of the policy pointed out that the state law required only Level One background checks of most employees and Level Two background checks of those employed in sensitive positions. Provost Toll attributes the controversy to poor communication, but the administration has declined to explain why it chose to exceed the requirements of the law, and at significant financial cost to the university. In the development of policy 3.037, the administration followed the procedures required in the university's Policy Manual (Policy 1.001). The committee has concluded that this indicates that the Policy Manual itself needs to be revised in order to ensure improved shared governance. (See section 5)
- 3) The decision to shift to MWF classes. The first problem with this decision is that faculty learned about it in the *News-Press* rather than from the administration. The subject had been raised in the faculty senate but only as one option among others. Provost Toll told the committee that he agrees this is a problem and attributes it to a genuine breakdown in communication. The committee, however, notes that conducting interviews with the press before informing faculty, staff, and students of a significant change in policy is more than just a breakdown in communication. It creates a vacuum that leads to perceptions of poor judgment and as well as emotionally charged reaction from faculty and students. The committee further notes that the lack of communication on this important matter is ongoing because there has yet to be an official statement from the administration regarding why this decision was made and how it is to be implemented. The second problem with this decision was that it was decided unilaterally by the administration and that faculty, staff and students were not involved. By definition, this is an issue that affects the entire university committee and all stakeholders should be consulted.

4) The development of a new policy 3.041 on Domestic Violence Leave. In February 2014, the University Counsel's Office sent out an email notification that policy 3.041 was being developed and invited comments from the university community. The committee sees this as an example of poor shared governance because faculty and staff were informed of this new draft policy only long after work on it began. Experts on the subject among the faculty and staff noted that the draft contained several serious flaws and that it had to be substantially revised. The revision of this policy is ongoing but so far none of the faculty and staff comments have been integrated, contributing to lower morale among stakeholders who feel excluded from community participation. It should be noted that the authors of the draft followed the procedures in the university's Policy Manual quite carefully. The committee has concluded that this indicates that the Policy Manual itself needs to be revised in order to ensure improved shared governance. (See section 5)

Section 3 The Committee's Findings on Issue 3

Issue 3: Examine and identify times when Shared Governance opportunities existed, but were not engaged in

Many of the issues discussed in section 2 could easily be placed in section 3. It is clear that opportunities have been and continue to be missed. Provost Toll argues that sometimes the faculty can do more to ensure that their voice is heard and the committee agrees that this is true. However, it is equally true that the administration needs to do more to listen attentively and engage the entire University community as they deliberate and act on matters that affect us all.

Section 4 The Committee's Findings on Issue 4

Issue 4: Identify strategies to facilitate shared governance

A crucial part of shared governance is good communication. The committee believes that communication between the administration and the rest of the university community must improve in a sustainable way. The committee has identified several ways to improve communication between all sections of the university community.

- 1) The provost should emulate the president and send out announcements directly. "From the Provost's Desk" was the idea of Provost Toll and the committee heartily endorses it.
- 2) Faculty serving on university and college committees need to do more to keep their constituents informed. Many faculty do this well, but there is room for improvement.
- 3) All faculty/staff and faculty/staff/student emails can be handled differently. The number of these emails increases every year. The university should create two email digests. One digest will contain official university business only and will be sent to all faculty, staff and students. The other digest will contain any other information like announcements of campus events and faculty, staff, and students should be given the opportunity to opt out of receiving these emails. Provost Toll expressed concern to the committee that email is not an effective means of communication because most faculty do not read all emails. We believe that concerns about readership should not dissuade campus leadership from instituting such a policy, and if material is disseminated, faculty have a responsibility and a duty to review it as part of their role in the shared governance process.
- 4) A more general principle needs to be adopted by all stakeholders on campus. Information about decisions being made should be disseminated by those making the decision. Now the practice is to delegate it to a subordinate. For example, the faculty senate as an institution communicates directly with faculty infrequently. The custom is to rely on individual senators to keep their constituents informed. However, in practice this does not always work well. A better alternative is fairly simple. Before each meeting, the senate president routinely emails the meeting agenda and related documents to all the senators. If the president were to copy all faculty on the email it would lead to the better distribution of information. In a similar fashion, the PBC should communicate directly with the university community rather than hope that word gets out through channels.

Section 5 The Committee's Findings on Issue 5

Issue 5: Identify strategies to ensure shared governance continues

As noted in earlier sections, the committee believes that Policy 1.001 Florida Gulf Coast Policy Manual needs to be updated to reflect the university's commitment to shared governance. The main problem with the current policy is that it requires notification of the university community about a policy proposal near the end of the process. Furthermore, this notification is to be in the form of a ten day comment period after which the comments received may (or may not) be considered.

The committee recommends that the following changes (in blue and underlined) be made to the Policy Manual. These changes may appear at first blush to lengthen the policy making process unduly, but the committee strongly believes that once these changes are implemented communication between all university stakeholders will improve, controversies over policy will be reduced and the policy making process will operate more smoothly and efficiently.

A. Initiation of, or revision to, policies and procedures occurs when the need for a new policy and procedure or a revision to a policy and/or procedure is identified by the President, any member of the President's Cabinet, or any other Direct Report to the President.

B. The procedure outlined below provides a uniform process for formatting, approving, revising and publishing University policies. A template has been provided to aid in the drafting of policies and procedures.

1. New or revised policies and procedures are to be submitted on the policy template and should contain the following information:

- Policy Name
- Initiating Authority
- Responsible Executive
- Responsible Office
- Applicability and/or Accountability
- Policy Statement
- Purpose/Reason for Policy
- Stakeholders
- Definitions of relevant terms
- Procedures necessary, if any, to implement the policy
- Forms to be used, if required or suggested, to carry out the procedure

2. Policies to be revised are to be submitted in a redlined (i.e., legislative) format, which would indicate the language being deleted and the new language being added to the last approved policy.

3. The steps to be utilized in initiating a new policy or revising an existing policy are to:
- i. Review Policy 1.001, and obtain Policy Template from the Office of the General Counsel webpage at <http://www.fgcu.edu/generalcounsel/policies.asp>
 - ii. The Responsible Office must submit the policy and related procedure, if any, on the Policy Template to the Office of the General Counsel for legal review. [The Responsible Office must include a written determination of all stakeholders who will be affected by the policy.](#)
 - iii. After review by the Office of the General Counsel, the draft policy must be routed to the Responsible Executive for review and approval in order to move forward.
 - iv. The Responsible Executive submits the draft policy to the President's Cabinet for review.
 - v. Upon the completion of review by the President's Cabinet, the draft policy will be disseminated by the Office of the General Counsel to the University community via email.
 - vi. The University community will have 10 days to provide feedback to the Office of the General Counsel.
 - vii. The General Counsel will present the feedback to the President's Cabinet for further review and possible revisions. [The Cabinet will create a written analysis of the feedback received. This document will include a justification for why feedback from the university community was accepted or rejected.](#)
 - [vii½ The revised draft policy and accompanying feedback analysis document will be disseminated by the Office of the General Counsel to the University community via email and the University community will have 10 days to provide feedback to the Office of the General Counsel. The General Counsel will present the feedback to the President's Cabinet for further review and possible revisions.](#)
 - viii. The draft Policy will then be forwarded to the President for final review, revisions, if necessary, and approval.
 - ix. Once the President has approved a final version,

the Office of the General Counsel will ensure that the new policy is promulgated in the Policies and Procedures Manual and is incorporated into the Internet version of the Policies and Procedures Manual.

Section 6 The Committee’s Findings on Issue 6

Issue 6: “Propose a policy that could be implemented.” The text in black font represents the first draft of the policy as written by Academic Affairs. The text in blue (and underlined) was added by the committee. In revising the draft, the committee drew heavily from “Policy of Shared Governance in the University System of Maryland” which can be found at <http://www.usmd.edu/regents/bylaws/SectionI/I600.html>

The committee believes that the original draft by Academic Affairs is a good beginning but that it lacks the level of specificity (including definitions) necessary to ensure the sustainability of the policy.

FLORIDA GULF COAST UNIVERSITY

APPENDIX “A”

Policy Template

POLICY NUMBER <i>(N/A if New)</i>	SUBJECT	EFFECTIVE DATE	REVISED DATE
	Shared Governance		
Responsible Office: 			
<input checked="" type="checkbox"/> New Policy Proposal	<input type="checkbox"/> Major Revision of Existing Policy	<input type="checkbox"/> Minor/Technical Revision of Existing Policy	<input type="checkbox"/> Other (explain)

Instructions for Completing the Policy Template

See Appendix “B” for the content necessary to complete the policy template. Please note the following:

- Complete proposed policy using “TRACK CHANGES”
- Include “DRAFT” watermark

- Date the Proposed Policy
- Fill out “yellow” areas of policy template

The Policy Template can be found on the General Counsel’s webpage under “[Forms for Download](#)”. Refer to the procedures in FGCU’s Policy # 1.001 upon completion of the Policy draft for directions on next steps.

If you have any questions, please contact the Office of the General Counsel at 590-1101.

<p>DRAFT DATE</p> <p>_____</p> <p>Please use “Track Changes” in this document</p>	<p>Florida Gulf Coast University Policy Manual</p>	<p>Policy: Number to be assigned in the General Counsel’s Office</p>
	<p>Title: Shared Governance at FGCU</p>	<p>Responsible Executive: Provost and Vice President for Academic Affairs Responsible Office: Provost’s Office</p>

POLICY STATEMENT

The purpose of shared governance at FGCU is to effectively promote the accomplishment of the University’s unique vision and mission through shared responsibility and accountability among stakeholders, while exercising sound principles of fiscal management and retaining public accountability. FGCU is committed to the notion that the best path to success is one where the responsibility and accountability for academic excellence and student success is shared openly and cooperatively among all parties.

Shared governance involves collaborative efforts to fulfill and fully execute the institutional mission by participating in matters including the:

1. identification of priorities,
2. development of policies,
3. defining of responsibility for ethical leadership,
4. enhancement of community partnerships, and
5. stewardship of the academic institution as a whole.

Principles of Shared Governance

FGCU asserts there are certain attributes of shared governance that should be observed and

respected by all parties, regardless of the specific processes followed or levels of stakeholder involvement. An effective process of shared governance is characterized by

a. Collegiality, mutual trust, and collaboration – stakeholders promote a climate of trust and cooperativeness that fosters the expression of views without negative consequences. Stakeholders openly support shared governance, in words and actions, and view themselves as partners in the success of the University. Stakeholders openly support, encourage, and reward collegial participation in shared governance.

b. Proactive involvement - stakeholders seek out and respect views from other stakeholders and affected parties who have relevant information, expertise and involvement in matters under consideration [which includes but is not limited to the following: mission and budget for the university; curriculum, course content, and instruction; research; appointment, promotion and retention of all faculty members and the development of policies that affect faculty welfare generally; development of human resources policies and procedures for staff; selection and appointment of administrators; issues that affect the ability of students to complete their education; and other issues that arise from time to time that affect the overall welfare of the university. Formal and informal mechanisms for obtaining information by stakeholders are multiple in nature, assuring that stakeholders have easy access to knowledge about governance issues under consideration, as well as spaces to present feedback and advance dialogue.](#)

c. Representative participation -faculty, staff and student participants work to accurately and democratically portray the full range and nature of valid constituent issues in governance processes, recognizing the majority position when it is known, but also crediting important minority perspectives. [Critical governance issues are brought before core representative bodies such as Faculty Senate, Staff Advisory Council and Student Government Senate in order to facilitate debate and dialogue and allow feedback from a full range of stakeholders. While some members of shared governance bodies may be appointed, the substantial majority will be elected by their constituencies. Such bodies will elect their own presiding officers.](#)

d. Clarity of roles -stakeholders mutually develop a common understanding of and respect for their appropriate roles in both regular and ad hoc processes, and establish methods of resolving issues when consensus cannot be reached. [The subject matter appropriate for fulltime and adjunct faculty, staff, and/or student participation include but are not limited to the following:](#)

- [The responsibility of administrators for forming and articulating a vision for the institution, for providing strategic leadership, and for managing its human resources, finances and operations;](#)
- [The central role of the faculty in the institution’s teaching, research, and outreach programs, including the assessment of the quality of these activities through peer review;](#)
- [The essential support provided by staff in facilitating the institution’s operations and the legitimate interest of the staff in participating in the development of policies and procedures that affect them and the welfare of their institutions;](#)
- [That students are the institution’s main academic educational focus and that they have a legitimate interest in matters affecting their ability to complete their education, including but not limited to costs, grading, and housing; and](#)
- [That there is a role for each group in the search for and selection of key institutional administrators](#)

e. Transparency – stakeholders keep each other informed on upcoming and ongoing decision processes, both shared and autonomous, to ensure that all parties are cognizant of significant developments throughout the process. [Administrators shall inform important constituencies in a](#)

timely manner if they choose to disregard, in whole or in part, the advice and recommendation of constituencies, and they should provide the reasons for their decision. In these cases, the shared governance body may, if it so chooses, present a written statement of its position and/or any objections to the decision as part of the university's record on the issue.

f. Timeliness - governance issues that affect the professional or intellectual lives of stakeholders are actively publicized well in advance of any actions taken or implied. Action occurs only after a period of open debate. Prompt replies from all stakeholders are issued to feedback given in order to facilitate an atmosphere of dialogue and mutual cooperation.

g. Accountability - stakeholders recognize the value of and actively participate in systematic review, assessment, and continuous improvement of decision-making processes, and cooperatively and constructively help remediate governance processes as needed. Mechanisms are in place to actively seek impressions from stakeholders as to how the assessment and continuous improvement process is operating and to determine processes that can be enhanced and improved upon. These mechanisms will be routinely reviewed for their effectiveness and will be revised when necessary.

REASON FOR POLICY

The policy is necessary to define and clarify the roles and responsibilities among institutional stakeholders in the governance of the university

APPLICABILITY AND/OR ACCOUNTABILITY

The policy applies to all university constituencies defined in the policy.

DEFINITION OF TERMS

PROCEDURES

(If applicable)

Implementation of shared governance at FGCU is mediated through the following documents: Florida Gulf Coast University Board of Trustees By-Laws; Planning and Budget Council By-Laws and the operating procedures of its constituent committees; Florida Gulf Coast University Board of Trustees and the United Faculty of Florida, Florida Gulf Coast University Chapter 2011-2014 Collective Bargaining Agreement; Faculty Senate By-Laws; Staff Advisory Council By-Laws; and Student Government By-Laws.

RELATED INFORMATION

HISTORY

This is the first policy to address shared governance.

APPENDICES

Links to the documents listed under Procedures.

APPROVED

President

Date

Appendix 1 A Reaffirmation of Shared Governance at FGCU Approved by President Wilson Bradshaw, October 18, 2012

**A Reaffirmation of Shared Governance at Florida Gulf Coast University
October 18, 2012**

Statement of Reaffirmation

Florida Gulf Coast University reaffirms its commitment to shared governance, which is the participation of faculty, staff, students, administrators, the president, and the board of trustees (hereafter referred to as stakeholders) in mutual, respectful, transparent decision- and policy-making processes.

Statement of Purpose of Shared Governance

The purpose of shared governance at FGCU is to effectively promote the accomplishment of the University's unique vision and mission through shared responsibility and accountability among stakeholders, while exercising sound principles of fiscal management and retaining public accountability. We are committed at FGCU to the notion that the best path to success is one where the responsibility and accountability for academic excellence and student success is shared openly and cooperatively among all parties.

Shared governance involves collaborative efforts to fulfill and fully execute the institutional mission by participating in matters including the:

1. identification of priorities,
2. development of policies,
3. defining of responsibility for ethical leadership,
4. enhancement of community partnerships, and
5. stewardship of the academic institution as a whole.

Principles of Shared Governance

We agree that there are certain attributes of shared governance that should be observed and respected by all parties, regardless of the specific processes followed or levels of stakeholder involvement. An effective process of shared governance is characterized by:

- a. Collegiality, mutual trust, and collaboration – stakeholders promote a climate of trust and cooperativeness that fosters the expression of views without negative consequences. Stakeholders openly support shared governance, in words and actions, and view themselves as partners in the success of the University. Stakeholders openly support, encourage, and reward collegial participation in shared governance.
- b. Proactive involvement - stakeholders seek out and respect views from other stakeholders and affected parties who have relevant information, expertise and involvement in matters under consideration.
- c. Representative participation -faculty, staff and student participants work to accurately and democratically portray the full range and nature of valid constituent issues in governance processes, recognizing the majority position when it is known, but also crediting important minority perspectives.
- d. Clarity of roles -stakeholders mutually develop a common understanding of and respect for their appropriate roles in both regular and ad hoc processes, and establish methods of resolving issues when consensus cannot be reached.

e. Transparency – stakeholders keep each other informed on upcoming and ongoing decision processes, both shared and autonomous, to ensure that all parties are cognizant of significant developments throughout the process.

f. Accountability - stakeholders recognize the value of and actively participate in systematic review, assessment, and continuous improvement of decision-making processes, and cooperatively and constructively help remediate governance processes as needed.

3.7.5. The institution publishes policies on the responsibility and authority of faculty in academic and governance matters. *(Faculty role in governance)*

Rationale and Notes

Because faculty are generally responsible for ensuring the achievement of appropriate student learning and academic program outcomes, it is imperative that an institution establish policies that explicitly delineate the responsibilities and authority of its faculty in academic and governance matters. These published policies clarify the role of the faculty in relation to other constituencies regarding these fundamental aspects of the institution.

Relevant Questions for Consideration

- What are the policies regarding the role of the faculty in academic and governance matters?
- What evidence exists that the policies are published and disseminated?

Documentation

Required Documentation, if applicable

- Policies regarding the role of the faculty in academic and governance matters

Examples of other Types of Documentation

- Publications describing these policies
- Evidence documenting the faculty role in academic and governance affairs

Reference to Commission Documents, if applicable

“Developing Policy and Procedures Documents”

Cross References to other related Standards/Requirements, if applicable

Comprehensive Standard 3.2.6

Comprehensive Standard 3.4.10