

**SHARED GOVERNANCE IN THE
UNIVERSITY OF CALIFORNIA**

AN OVERVIEW

Daniel L. Simmons*
©1995, 2009

Shared governance with the Academic Senate is one of the distinctive features of the University of California. The system of shared governance gives University faculty, operating through the Academic Senate, a voice in the operation of the University. In addition, it imposes on faculty a measure of responsibility for the manner in which the University operates. Faculty participation in governance of the University through the agency of the Academic Senate is a guiding force that unifies the ten campuses of the University into a single system under a uniform standard of excellence.

DELEGATIONS OF AUTHORITY TO THE ACADEMIC SENATE

The Academic Senate of the University of California operates under the authority of standing orders of the Board of Regents.

Standing order 105.2 delegates to the Academic Senate, subject to the approval of the Board, the authority to --

- ◆ Determine the conditions for admission; and
- ◆ Determine the conditions for certificates and degrees, other than honorary degrees.

The Senate also is charged to recommend to the President candidates for degrees in all courses and is to be consulted, through committees as determined by the President, on the award of all honorary degrees.

Further, the Senate is delegated the authority to --

- ◆ Authorize and supervise all courses and curricula (excepting Hastings College of the Law, the San Francisco Art Institute, the courses offered by professional schools with graduate work only, and non-degree courses of University Extension); and
- ◆ Determine the membership of faculties (excepting excepting Hastings College of the Law and the San Francisco Art Institute).

* Professor of Law, University of California, Davis. Chair of the Assembly and Academic Council 1994-95, Vice-Chair of the Assembly and Academic Council 2009-2010.

In addition, the Senate is authorized to --

- ◆ Select committees to advise the Chancellors on the campus budgets, and the President on the University budget;
- ◆ Advise the President and the Chancellors on matters concerning the administration of the libraries;
- ◆ Select a committee to approve publication of manuscripts by the University of California Press; and
- ◆ Lay before the Board, but only through the President, any matter pertaining to the conduct and welfare of the University.

Regents standing order 103.9 guarantees to any faculty member a hearing before an appropriate committee of the Academic Senate in the case of a termination for good cause prior to the end of the faculty member's contract with the University.

Recently approved amendments to Regents standing order 100.4, adding subdivision (qq) granting authority to the President to declare an extreme financial emergency, recognizes the role of consultation with the Academic Senate by requiring notification of such a declaration to the chair of the Academic Senate, among others, and by requiring consultation with the Academic Senate, among others, regarding the content of a declaration of extreme financial emergency.

The express delegations of authority to the Academic Senate impose on the faculty significant responsibility for the maintenance of the quality of the instructional and research effort of the University of California.

- ◆ The authority to determine the conditions for admission charges the Senate with defining the quality of the students entering the University at both graduate and undergraduate levels. This authority is exercised by the creation of minimum standards of eligibility for admissions that are uniform throughout the system.
- ◆ The authority to establish conditions for degrees and to supervise courses and curricula charges the faculty with the responsibility to monitor the quality of the educational programs that students must complete to earn their degrees and to maintain the quality of the components of those programs.
- ◆ The authority to determine the membership of the faculty has two elements. The Senate has a responsibility to monitor the quality of the faculty who teach courses, who develop the educational program and who conduct research at the University of California. Faculty throughout the University are evaluated under a uniform set of criteria that are intended to maintain a level of excellence on each campus. Second, in order to ensure the quality of the faculty, the Senate monitors faculty welfare issues that affect recruitment and retention of high quality faculty.

- ◆ The authority to advise on the budget of the campuses and the University empowers the Senate to advocate budget allocations that channel resources into activities which enhance the academic programs of the University.
- ◆ The authority to advise on the administration of the libraries gives the faculty a voice in the maintenance of the basic intellectual infrastructure of the University.
- ◆ The authority to select a committee to approve publication of manuscripts of the University of California Press provides the faculty with supervisory control over the quality of the Press.
- ◆ The authority to conduct hearings in disciplinary cases charges the faculty with responsibility for enforcing standards of faculty conduct that are embodied in the Faculty Code of Conduct and other policies of the University.

ORGANIZATION OF THE ACADEMIC SENATE

The basic structure of the Academic Senate, and the identity of its principal standing committees, evolves from the authorities and responsibilities delegated to the Senate by the Board of Regents. Note that while this paper principally addresses the organization of the system wide Academic Senate, organizational structures of the divisional senates on each of the ten campuses generally parallel the organization of the system wide Senate.

The ultimate policy authority of the Senate resides in the Assembly of the Academic Senate. The Assembly consists of elected representatives from each of the campuses plus the chairs of each of the divisional senates and the system wide officers. The President of the University is also the president of the Assembly, but the faculty Chair of the Assembly presides over its meetings. Although the Assembly is regularly scheduled to meet three times per year, it only is required to meet annually.

The Academic Council serves as the executive committee of the Assembly.. The Academic Council is charged with advising the President on behalf of the Assembly. The Academic Council includes the chairs of the most significant Senate committees, principally those committees directly charged with executing the responsibilities delegated to the Senate by the Board of Regents. Thus, in addition to its chair and vice-chair, who are also the chair and vice-chair of the Assembly, the Academic Council includes the chairs of the Board of Admissions and Relations with Schools, the University Committee on Educational Policy, the Coordinating Committee on Graduate Affairs, the University Committee on Academic Personnel, and the University Committee on Planning and Budget. In addition, the chairs of each of the divisional senates are members of the Academic Council. In recent years the Academic Council has been expanded to include the Committees on Research Policy and Affirmative Action and Diversity. The Academic Council meets eleven times a year on a monthly basis, with special meetings as the need arises. The President and senior officers of the University regularly attend the meetings of the Academic Council to discuss issues of system wide interest.

Each of the standing committees represented by its chair on the Academic Council includes representatives from corresponding committees at each campus. Thus, as issues percolate up to the Academic Council, the Council has the benefit of the review of literally hundreds of University of California faculty participating through the various levels of the Senate governance structure. Faculty participate in these activities, almost universally without additional compensation, as a part of their responsibility to the University motivated by their dedication to the well-being of the institution.

The functions of the principal standing committees of the Senate are tied to the authority delegated to the Senate by the Board of Regents.

- ◆ With respect to undergraduate admissions, conditions for admission and admissions policies are reviewed and established by the Board of Admissions and Relations with Schools (BOARS). The divisional senates generally maintain parallel admissions committees. Graduate admissions are monitored by the Coordinating Committee on Graduate Affairs (CCGA). The divisional senates generally refer to the parallel divisional committee as the Graduate Council.
- ◆ Conditions for undergraduate degrees and regulations relating to the undergraduate education program are established and reviewed by the University Committee on Educational Policy (UCEP) and its counterparts on each campus. While there is no corresponding system wide committee, individual course approvals are the responsibility of divisional courses committees. The Coordinating Committee on Graduate Affairs is responsible for the approval and periodic review of all graduate programs, including professional programs.*
- ◆ Policies and procedures for determining the membership of faculties, and more importantly, policies for the advancement of faculty members, are under the jurisdiction of the University Committee on Academic Personnel (UCAP). The divisional committees on academic personnel at the campuses review merit and promotion recommendations for individual faculty members. The University Committee on Faculty Welfare (UCFW) advises the Senate and the administration on benefit programs and other welfare issues affecting faculty. Under the bylaws of the Academic Senate, membership in individual departments is subject to approval by the faculty in the individual departments.
- ◆ Consultation with the President on the budget is the responsibility of the University Committee on Planning and Budget (UCPB). Corresponding planning and budget committees advise the Chancellors on each campus. In addition, because budget allocations directly affect research support, the chair of the University Committee on Research Policy (UCORP), is an ex-officio member of UCPB.

* The procedures for system wide approval of program or degree establishment, disestablishment or consolidation are contained in a compendium for program review prepared by the Academic Planning Council and the Academic Senate. The compendium is available on-line through the University of California home page at <http://www.universityofcalifornia.edu/senate/resources/Compendium.pdf>.

- ◆ Library matters are considered by the University Committee on Libraries and Scholarly Communicaitons.
- ◆ Manuscripts for the U.C. Press are approved by the Editorial Committee.
- ◆ Hearings in disciplinary cases are conducted by the divisional Committees on Privilege and Tenure. There is also a University Committee on Privilege and Tenure which meets to consider system wide issues concerning disciplinary process. The privilege and tenure committees also consider grievance matters raised by individual faculty members who believe that they have been denied faculty privileges as specified in University policies. Grievance cases include claims by faculty that they have been judged in a merit or promotion case according to inappropriate criteria.

The reports and recommendations of all of the Senate committees are reviewed by the Academic Council which reconciles conflicting points of view and reflects the positions of the divisional senates. The Academic Council thus becomes a focal point for system wide faculty input into policy issues before the University. Through the broad participation of faculty from every campus on the principal standing committees, the Academic Council has developed a system wide perspective on most University issues that is not reflected in any other body within the University structure. Regular consultation at the Council meetings with the senior officers of the University provides an opportunity for both parties to formulate policy positions that reflect the perceived interests of both groups. Indeed, as the next section demonstrates, the leadership of the Academic Senate is regularly engaged with the Administration in almost all aspects of the University.

ACADEMIC SENATE/ADMINISTRATION INTERFACE

The chair and vice-chair of the Assembly and Academic Council, along with almost all of the chairs of the standing committees that are represented on the Academic Council, are in regular consultation with members of the system wide administration through a variety of system wide committees and task forces. Some of these relationships are through formal standing committees of the University, others are through ad hoc committees and task forces appointed to resolve a particular issue. A partial listing of these relationships includes the following --

- ◆ Board of Regents: The chair and vice-chair of the Assembly and Academic Council sit on the Board of Regents as non-voting faculty representatives.
- ◆ President and Provost: The chair and vice-chair of the Academic Council meet regularly with the President, the Provost, and other senior administrators to discuss issues of immediate concern and develop a common agenda.
- ◆ Executive Budget Committee: In the past, the chair and vice-chair of the Academic Council were members of an Executive Budget Committee which advised the President on the development and allocation of the University Budget. The Executive Budget Committee was chaired by the Provost and included the vice presidents with budget responsibilities and two Chancellors. This body no longer functions.

- ◆ Academic Planning Council (APC): The chair and vice-chair of the Academic Council, and the chairs of UCEP, UCPB, and CCGA are members of this system wide academic planning body. The APC is chaired by the Provost. The chair of the Academic Council is the vice-chair of the APC. This group includes the vice-presidents for Agriculture and Health, the Vice Provost for Research, a chancellor, an executive vice-chancellor, a vice-chancellor for student affairs, and two at-large faculty members, among others. Although this planning council has been dormant for a number of years, it has recently been revived by the Provost.
- ◆ National Laboratories: Prior to the revision of contracts with the Department of Energy, the chair and vice-chair of the Academic Council, and at least one other representative of the Academic Senate, were members of the President's Council on the National Laboratories which advised the President on the management of the National Laboratories and had review responsibility of the Labs under the terms of the former management contract with the Department of Energy. Senate representatives also served on the sub-panels of the Presidents Council including the National Security Panel, the Science and Technology Panel, and the Environmental Safety and Health Panel. Under the current contract the Academic Council Special Committee on Laboratory Issues (ACSCOLI) regularly meets with Laboratory managers within the Office of the President and from the Laboratories to monitor UC's role as a member of the laboratory limited liability companies. Senate members of ACSCOLI participate as members of the science and technology subcommittee of the limited liability company boards of directors. On a rotating basis, either the chair or vice-chair of the Academic Council serve *ex-officio* as a member of the Lawrence Berkeley National Laboratory Advisory Board.
- ◆ Search Committees: Either the chair or vice-chair of the Academic Council, or both, serve on almost all search committees for senior system wide university officers and chancellors. Standing committee chairs often are also included on search committees. Under existing Regents procedures, the chair of the Academic Council serves on the faculty advisory committee to the Regents' Search Committee in the selection of the President. Traditionally, either the chair or the vice-chair of the Academic Council serves as the chair of this Faculty Advisory Committee.
- ◆ Task Forces and Special Projects: Chairs of Senate standing committees are regularly called upon to participate in the work of special committees

AN ASSESSMENT OF SHARED GOVERNANCE

Critics of shared governance in the University of California generally raise two concerns; the faculty has too much power, and the process of faculty evaluation of proposals only contributes delay and inefficiency to the implementation of needed change.

The faculty of the University of California does indeed exercise great influence on the affairs of the University. Without the faculty there would be no prestigious research accomplishments. Without the faculty there will be no educational program. No central

governing authority can direct an individual faculty member to the next great research breakthrough. Nor can a central governing authority direct individual faculty to inspire a classroom of undergraduates with the joy of the discovery of new knowledge. The governors and administrators of a university system must work to provide a supportive atmosphere that encourages creative people to perform at their highest level in a collective research and education enterprise. The faculty, through the Academic Senate, seek to advise the Board of Regents and the administration on the development of policies and procedures that will enhance the research and education enterprise while maintaining appropriate standards of conduct with necessary and reasonable oversight.

Shared governance provides the faculty with a mechanism to participate in the development of policy to guide the University in its continuing quest for excellence in all of its missions. The faculty's sense of participation in the collective endeavor creates a collective responsibility of ownership among the faculty for the University's academic programs. With that responsibility comes a culture that seeks to nourish the values of excellence and academic freedom which are the hallmarks of a successful institution of higher education. Removing the faculty from meaningful participation in governance would deprive the University of one of the principal forces driving its constant progress towards higher quality results in its teaching, research and service.

The relationship between the Academic Senate and the administration, both system wide and on the campuses, has evolved over the history of the University into a partnership that works to bring the faculty into decision making processes at the formulation stage. The faculty becomes a partner with the administration in working out common ground from which to face the challenges of the times. Standing on that common ground, it becomes difficult for one side or the other to pull the rug out from under a policy direction. Without mutual participation in decision making the faculty and the administration would stand apart on opposite sides of a table with each unproductively complaining about the recalcitrant position of the other as is the case in some universities with a unionized faculty.

Clearly the consultation inherent in shared governance is a difficult and time consuming process for all participants. The time devoted to consultation undoubtedly delays implementation of what proponents always believe is a good idea. However, the University of California is too complex an institution to be managed by a central authority. The filter of other minds, and the tests of experience broader than that of a few people more often than not adds value to the formulation of a proposal. In many cases, consultation has thwarted unwise ideas. Examples may also be found of bad decisions that may have been prevented with broader consultation with affected groups. Overall, we enhance our collective skills by reaching out to broad constituencies for participation in governance.

That is not to say that the processes of consultation and shared governance cannot be improved nor made to function more efficiently. Like any dynamic organization, the Academic Senate must be responsive to change through an ongoing evaluation of its organizational structure with an eye to streamlining its operations. That is a continuing challenge to Senate leadership.