

Revisions proposed by the Faculty Council of the University of North Carolina at Chapel Hill to the Faculty Assembly Resolution of February 4, 2005

Shared Governance on the 16 UNC Campuses

Minimum Standards of Governance

Preamble

A strong tradition of shared governance is essential to the excellence of any institution of higher learning. This principle is embodied in Section 502D(2) of the *Code of the Board of Governors*, which makes it the responsibility of the chancellor of each constituent institution of The University of North Carolina to ensure that the institution's faculty has the means to give effective advice with respect to questions of academic policy and institutional governance, with particular emphasis upon matters of curriculum, degree requirements, instructional standards, and grading criteria, and that the appropriate means of giving such advice is through an elected chair of the faculty and an elected faculty council or senate. To the end that chancellors may more effectually carry out this responsibility, the Faculty Assembly commends the following statement of recognizes the following as minimum essential standards of governance that must be in place on each of the 16 campuses of the University of North Carolina.

Comment: The insertion cites the relevant portion of the Code of the Board of Governors, thereby establishing an authoritative basis for the Assembly's resolution.

Definitions

As used in this Statement, the following terms have the meanings indicated:

"Faculty senate" means the body, by whatever nomenclature employed, empowered by the faculty to exercise its legislative powers.

"Faculty" includes all persons holding full-time tenure-track appointments in the institution and such other faculty members and librarians as may have been accorded voting privileges in faculty elections.

Comment: The term "faculty senate" is defined to eliminate the need for using the alternate "or Council" throughout the document. The term "faculty" is defined to recognize the fact that not all campuses accord full faculty privileges to fixed-term appointees or to librarians.

The Chair of the Faculty

There must be a chair of the faculty who may be elected either the faculty at large or by the faculty senate. Candidates shall be either self-nominated or nominated by a committee of the faculty or of the faculty senate. The chair of the faculty shall be the chief spokesperson for the faculty.

The chair of the faculty shall be allowed release time commensurate with the duties of the office.

Comment: This new section is added to emphasize the importance of this position and to establish the standard that both nominations and elections for the position must be under faculty control.

The Faculty Senate or Council

1. The faculty must be represented by an elected Faculty Senate or Council that must hold regularly scheduled meetings throughout the academic year.
2. With few exceptions, voting membership of the senate/council must be limited to elected faculty representatives.
3. Members of the senate/council must represent departments, colleges, schools, or comparable academic units and must be elected directly by the faculty of those units be elected by and from the academic units of the institution that initiate faculty appointments.
4. While it is the chancellor's prerogative to preside over the senate, it is preferable for the chancellor to delegate this privilege to the chair of the faculty, at least for those portions of meetings during which the senate is deliberating on questions of academic policy and institutional governance.
45. The officers of the senate/council, including its presiding officer (president or chair), must be elected by the membership of that body or by the faculty as a whole at large.
56. Procedures for the election of the senate/council's membership and officers, as well as their responsibilities and terms of office, The structure, method of election, and powers of the senate must be codified in published bylaws or other specified in a document approved by and amendable by the faculty at large or the faculty senate senate/council.
67. Procedures for the operation of the senate/council and its committees must be established by reference to recognized authorities such as Roberts' Rules of Order or in codified in published bylaws approved by and amendable adopted by the senate/council.
78. The senate/council must be given adequate resources to ensure effective governance, including:
 - a. an adequate budget
 - b. reasonable authority over its budget

- c. adequate office space
- d. adequate secretarial support
- e. ~~appropriate release time for the chair/president~~

Comments:

Paragraph 2 employs the standard phrase “elected by and from” and establishes the principle that the fundamental unit of representation is that from which faculty appointments originate by whatever nomenclature known.

Paragraph 3 addresses the issue of who presides over the senate. The Code of the Board of Governors makes this a prerogative of the chancellor. The suggested revision would establish a standard that urges chancellors to delegate this prerogative at least for the “business” portion of senate meetings.

Paragraph 7 in its original form uses the term “procedures” in a way that seems ambiguous. The recommended revision makes it clear that “procedures” in this context means parliamentary procedure.

Faculty Governance Responsibilities

1. ~~The responsibilities and procedures~~ legislative and consultative powers of the faculty of faculty governance must be codified in a published governance document approved by and amendable by the faculty or their elected representatives.
2. The university's curriculum is primarily the responsibility of ~~its~~ the faculty. The faculty, ~~through its elected senate/council (or through its delegated faculty committees or through elected faculty councils of its colleges and schools)~~ acting as a committee of the whole or through representatives elected by the faculty or designated pursuant to procedures established by faculty legislation, must give approval to ~~campus curricular~~ academic policies prior to their implementation, including but not limited to the following:
 - a. graduation requirements
 - b. ~~"basic studies"/"general education" requirements for undergraduates~~ the undergraduate curriculum
 - c. the establishment, merger, or discontinuation ~~of all new~~ departments, schools, and colleges
 - d. the establishment of new degree programs (including online programs)
 - e. establishment, change, or elimination of ~~of or substantive changes to~~ majors
 - f. the elimination or consolidation of degree programs ~~or departments (except in cases of declared financial exigency)~~
 - g. the establishment of individual new courses
 - h. campus admissions and retention policies
 - i. attendance and grading policies
 - j. grade-appeal procedures
 - k. drop/add policies

- l. course-repeat policies
- m. policies for graduation with honors
- ~~n. and policies for honors programs~~
- n. honor-code policies
- ~~o. the granting of honorary degrees~~

The curriculum leading to and policies with respect to the award of graduate and professional degrees shall be established by the faculties of the schools or colleges that admit and certify candidates for those degrees.

- 3. The faculty, through its ~~elected senate/council and consistent with policies in The Code,~~ designated representatives, must be consulted on any proposal to adopt or amend ~~exercise authority to determine and amend~~ campus policies of reappointment, tenure, and promotion, and of post-tenure review; ~~all revisions to those policies, without exception, must be ratified by the senate/council. It is expected that any such proposals will be initiated by the faculty, and that full opportunity for faculty analysis and discussion will be allowed before any modifications in such proposals are adopted.~~
- 4. The faculty, through its ~~elected senate/council~~ designated representatives, must be afforded full opportunity to review and approve faculty handbooks, and academic policy manuals, and any institutional policy statements that affect the faculty's teaching, research, or conditions of employment. ~~(and campus policies therein).~~
- 5. For joint committees on which the faculty is represented:
 - a. Faculty representation ~~must~~ should appropriately reflect the degree of the faculty's stake in the issue or area the committee is charged with addressing.
 - b. The faculty members of joint committees must be selected ~~by~~ in consultation with the elected faculty leadership or by processes approved by the ~~senate/council~~.
- 6. The granting of honorary degrees is a prerogative of the faculty. All nominees for honorary degrees shall have been approved by the faculty or its designated representatives before final approval by the board of trustees.

Comments:

The opening portion of Paragraph 2 is reworded for clarity and subparagraph (b) is revised to include the entire undergraduate curriculum. As currently phrased, this paragraph describes what is known at UNC-Chapel Hill as the General College, an obsolescent concept that originally covered the freshman and sophomore years.

Material concerning pertaining to academic policies in graduate and professional degree programs is added, establishing the principle that those policies are the responsibility of the particular school or college faculty rather than the faculty as a whole.

Paragraph 3 is extensively revised. The faculty at UNC-Chapel Hill does not claim "authority to determine and amend" the Trustee Tenure Regulations. We do expect that initial adoption of such regulations will be undertaken in close collaboration with the faculty, that the text of the document and any subsequent

amendments to it will be initiated by the faculty, and that the faculty will be afforded the opportunity for full analysis and discussion of any changes that the trustees desire to make in the text as presented by the faculty's representatives.

Paragraph 4 is reworded to broaden its coverage to include any formal policies that affect teaching, research, or working conditions.

New paragraph 6 reiterates the faculty's historic claim of the prerogative of awarding honorary degrees, a prerogative that was recognized by statute before the revision of Chapter 116 of the General Statutes following the 1971 reorganization of The University.

Administration-Faculty Collegiality

1. A collegial, candid, and cooperative relationship should exist between the administration and the faculty. When requested, administrators should ~~report to~~ appear before the the senate/council and respond to questions.
2. ~~Except on rare occasions, it is expected that~~ senior administrators ~~should will~~ uphold the decisions of the senate/council in areas in which the faculty has primary responsibility, such as curriculum and tenure/promotion policies.
3. The chancellor and other senior administrators should consult in a timely way and seek meaningful faculty input on issues in which the faculty has an appropriate interest but not primary responsibility, including but not limited to the following:
 - a. the university mission, emphases, and goals
 - b. budget
 - c. campus master plan or strategic plan
 - d. building construction
 - e. enrollment growth
 - f. tuition policy
 - g. student discipline
 - h. intercollegiate athletics
 - i. faculty and staff benefits
 - j. libraries and other research facilities
4. The chancellor should effectively advocate the principles of shared governance to the Board of Trustees.
5. The chancellor should typically sustain the recommendations of faculty tenure, hearings, and grievance committees.
6. When the chancellor acts against the recommendations of such committees, the chancellor should meet with the committee or otherwise adequately communicate the reasons for not sustaining its recommendations.
7. The Board of Trustees should exercise due respect for the governance prerogatives of the faculty.
8. The faculty should participate meaningfully in the selection of academic administrators (through membership on search/hiring committees and the opportunity to meet and comment on "short-listed" candidates before hiring decisions are made).

9. ~~The professorial rank faculty of each department should approve the appointment and reappointment of its department head/chairperson. The faculty of each college, school, or department should be consulted in the appointment or reappointment of the dean or department chair either through majority membership on the search or evaluation committee or by direct consultation with the appointing administrator either in person or by other means approved by the faculty senate.~~
10. ~~The professorial rank faculty of each department should approve the term of office of its department head/chairperson. The term of appointment of academic deans and department chairs should not exceed five years. If appointed for an indefinite term, an academic dean or department chair should be formally evaluated for continuation in office not less frequently than every five years.~~
11. ~~Each full-time faculty member should regularly evaluate the performance of senior administrators. The chancellor or provost should establish effective procedures that enable members of the faculty having voting privileges to regularly evaluate the performance of senior administrators. This evaluation should be in addition to and independent of the mandated period evaluation of administrators by the chancellor or the board of trustees.~~
 - a. ~~The faculty's evaluation of administrators should be in addition to and independent of the mandated periodic evaluation of administrators.~~
 - b. ~~Administrators evaluated by faculty should include the chancellor, the provost, the faculty member's college/school dean, and the faculty member's department head/chair.~~
 - c. ~~The faculty should determine the questions and format of the faculty evaluations of senior administrators.~~
 - d. ~~The results of these evaluations should be made available, at a minimum, to the person evaluated and to that person's immediate supervisor.~~

Comments:

Paragraph 1 is reworded to establish the expectation that chancellors and other administrations will appear in person before the senate upon request.

Paragraph 2 is reworded to drop the suggestion that that senior administrators may disregard senate decisions in the areas listed, even though such instances may be "rare."

Paragraph 3 is amended to add five areas of importance.

Paragraphs 9 and 10 are revised to base the standard of evaluation on effective consultation with the faculty, rather than formal approval of administrative appointments. The appointment of deans is a prerogative of the provost, and the appointment of department chairs is a prerogative of the dean of colleges or schools organized in departments. At UNC-Chapel Hill, the faculty expects to be consulted in the appointment of academic deans by being significantly represented on the search committee. Normally, we expect that a majority of the members of the search committee will be faculty members. Our Faculty Code establishes the principle that the chancellor should consult the Chancellor's

Advisory Committee (a body elected by the faculty at large) in appointing all deans and vice chancellors, but there is no expectation that these appointments will be “approved” by the the faculty of the college or school concerned or any subset of that faculty. Expectations of faculty involvement in appointment of department chairs varies widely across the institution. In the College of Arts and Sciences, the faculty expect that department chairs will be appointed for five-year terms in close consultation with all of the department’s faculty. Although there is no rule as to longevity, it has been unusual in recent years for a department chair to serve for more than one term. By contrast, appointment of department chairs in the School of Medicine is for an indefinite term, and chairs often serve for many years. Insofar as our campus is concerned, the UNC-Chapel Hill Faculty Executive Committee would prefer to see these paragraph revised to establish the broad, general principle that the faculty expects to be afforded effectual means of consultation in the selection of academic deans and department chairs.

Paragraph 11 is revised to establish a broad principle without going into detail. We suggest that the burden of providing for faculty evaluation of administrators be cast on the chancellor.

Noncompliant Campuses

It is the responsibility of the faculty of each campus to advocate, seek, and monitor the campus's adherence to the Minimum Standards of Governance. When a campus is not in compliance with one or more standards, faculty should seek resolution through processes at the campus level. However, when the faculty's sustained efforts to secure compliance have not been successful, the faculty, either through its senate/council or by the action of one or more faculty members, is encouraged to consult with the officers of the Faculty Assembly who will assist the faculty in bringing the matter to the attention of the President for redress.

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~~In cases that, in the judgment of the Assembly's officers, may constitute serious noncompliance, the Assembly's officers may authorize appointment of an ad hoc panel to investigate and prepare a report. The members of an investigating panel are faculty members from other campuses who have no previous involvement in compliance issues on that campus. The panel is asked to visit the campus alleged to be noncompliant, to meet with parties in the faculty and administration, and to prepare a report for submission to the Assembly's Governance Committee. The investigating panel's draft report recounts the facts of the case and sets forth conclusions as to whether the campus is in compliance with the Minimum Standards of Governance. The Governance Committee may call for revision of the report prior to its release.~~

~~The Governance Committee sends the revised text to the principal parties for their corrections and comments. The responses are taken into account in preparing the final text for presentation to the Assembly. If it deems that the campus is neither compliant nor working to achieve compliance, the Governance Committee may seek the good offices of the Office of the President in achieving a resolution. Finally, if all efforts fail, the Governance Committee may recommend that the Faculty Assembly censure the~~

~~noncompliant administration. The Assembly continues to seek compliance, upon the attainment of which, the Governance Committee recommends to the Assembly that the censure be removed.~~

Comment: We suggest that most of the detail as to administration of the resolution be eliminated. Effective enforcement of the principles established by the resolution seems unlikely without the backing of the Office of the President. Also, the procedure suggested in the resolution appears to claim powers for the Assembly and its Governance Committee that cannot be supported by the Assembly's charter.