

# CUSF Motion 1503

## State of Shared Governance: Review of UMUC's White Paper

On January 29, 2015, the Finance Committee of the MD Board of Regents met and subsequently sent out a recommendation that University of Maryland University College be permitted to adopt a new business model.

### **Background**

As background, we summarize a White Paper submitted by UMUC to the Finance Committee of the Board of Regents in December 2014.

UMUC has been a leader in distance education, primarily for U.S. armed forces, for the 67 years of its existence. As a result of military drawdown and other factors, enrollments and tuition income have been shrinking. UMUC President Javier Miyares asked "the Chair of the UMUC Board of Visitors, Mark Gerencser, to form an independent group of businessmen and women. Their charge was to examine the challenges facing UMUC in its efforts to achieve sustained enrollment growth and to identify the best organizational model for success." As the group did its work President Miyares also opened a community dialogue with faculty, students, staff, and alumni; of the 188 people he invited to participate, 67 made comments. We have subsequently learned that this was not a conversation, but rather a simple gathering of input with no responses from administration.

The group's recommendations began from three observations: UMUC must drive its cost structure down, it must be a leader in educational innovation, and it must be agile and flexible in its operations. The final three models considered were "evaluated in light of four major conclusions that the Ideation Group recommended for UMUC to grow and compete in the national and international markets."

- UMUC must become a performance driven culture
  - UMUC's pursuit of educational objectives must be characterized by flexibility, efficiency, and agility
  - UMUC's proprietary and competitive information requires exception from the normal state requirements of transparency
  - UMUC must be permitted to pursue growth through business models such as mergers and acquisitions.

The model being recommended calls for the UMUC President to "appoint a Managing Board of national and international academic, business and military leaders to provide guidance on policy developments." One thing the board will do is to "[g]uide the development of UMUC personnel and faculty policies."

The model UMUC is asking the Board of Regents to adopt asks that the BOR, among other steps, "[f]ormally delegate to UMUC's President the authority to develop and manage its own personnel and faculty policies, subject to the approval of the Board of Regents."

### Concerns

UMUC's proposed managing board "would be responsible for guiding and advising the development of UMUC's strategic direction and critical competitive decisions." This passage and several others that similarly indicate UMUC would manage its own "personnel and faculty policies" suggest that shared governance will be abrogated in favor of a model where UMUC operates more like a "private business" than an educational institution. We fully recognize the need for flexibility and response to the marketplace. However educational flexibility must exist in an environment of shared responsibility, acknowledging that "[w]hen an educational goal has been established, it becomes the responsibility primarily of the faculty to determine the appropriate curriculum and procedures of student instruction."

The American Association of University Professors (AAUP) indicates it is necessary for all components of an educational institution to work together in an atmosphere of cooperation in order to meet the educational needs of their students and community. Faculty are hired because of their disciplinary expertise and it is essential that academic and curricular decisions be made by those who understand the field and how it must be taught. In concert with administrative demands, only faculty can set the requirements for degrees and determine when those requirements have been met. Matters relating to hiring and retaining faculty, peer review, length of contracts, textbooks, academic freedom, and defining the curriculum that leads to a degree should be the domain of faculty with the consent of an Academic Vice President.

The AAUP's statement on shared governance (composed together with the American Council on Education and the Association of Governing Boards of Universities and Colleges) states that "[t]he faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process." Education is not only a matter of ensuring that administrative matters are managed; it also requires a group of people who have a systemic understanding of how curriculum must be formulated in order to meet the educational demands of any discipline.

The Middle States Commission on Higher Education (MSCHE) also requires that shared governance and faculty participation in academic affairs be reflected in the ongoing business of the university. MSCHE asks that the "governance structure includes an active governing body with sufficient autonomy to assure institutional integrity and to fulfill its responsibilities of policy and resource development." Their standards for accreditation further confirm that "faculty bear primary responsibility for promoting, facilitating, assuring, and evaluating student learning." In a business model where "personnel and faculty policies" are solely in the hands of administrators and a governing board, these Middle States requirements could easily go unsatisfied.

In addition to concerns about the possible negation of faculty responsibility for academic matters there is the larger concern of a model with such limited checks and balances, especially in an industry where so many moving parts must comprise the finished product. Scholars in a particular discipline have the expertise and knowledge for judging

the work of their colleagues; faculty hiring should not be converted into a purely administrative activity. We would hate to see a system set up where there is no genuine conversation about how human resources are managed. A board of “international academic, business and military leaders ” is not appropriate to manage internal human resource matters. As we know an institution in which “all the components are aware of their interdependence, of the usefulness of communication among themselves, and of the force of joint action will enjoy increased capacity to solve educational problems.”

CUSF is concerned that in seeking flexibility in the form of these freedoms: from oversight, from faculty participation in academic decisions, and from state personnel rules that go some way in assuring fair treatment of staff and faculty, UMUC is eliminating the shared governance structure that is essential and required for remaining an institution of higher education in the University System of Maryland.

The USM policy on shared governance states that “[s]hared governance requires informed participation and collaboration by faculty, students, staff, and administrators.” With specific regard to faculty it points out that “[t]he 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.” If the requested business model is adopted there will be no way to ensure that UMUC collaborates properly with its internal stakeholders and is held accountable for the shared governance that workable educational programs require.

The dual needs of expanding enrollment and increasing revenue are not undermined by requirements of accountability and proper consultation with faculty in academic matters. Educational programs require input from professionals in the discipline who understand the field, how to construct curriculum, and assess progress. CUSF is deeply concerned that the abrogation of shared governance at UMUC will lead to a severely diminished educational experience for all students.

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CUSF recommends that adjustments be made to the proposed UMUC business model to recognize the need for faculty shared governance and faculty participation in decisions about curriculum and other academic matters. The faculty, through a system of shared governance at many levels, should have primary “responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process.”