Shared Governance: Changing with the Times

Case Study: University of Maryland System
Background

The University System of Maryland comprises twelve universities representing, in many ways, the broad range of American higher education institutions—from large research universities to smaller comprehensive institutions to HBCUs. While the diversity of the system—and the spectrum of opportunities that diversity affords—is clearly an advantage for students and for the state of Maryland, from a governance perspective it presents some complex challenges. As the chancellor has said, “We’ve created this enormous, complex organization, but it’s critical that we work as one, and that the campus constituents play a role in decision making.”¹ Achieving that goal, not surprisingly, is an ongoing, intentional process that will never reach an end, and that requires the engagement and commitment of all of the system’s stakeholders.

In 1996, the board of regents addressed the issues of shared governance in the system, and on the individual campuses, in their bylaws.² The bylaws contain a number of very powerful statements emphasizing the Regents’ commitment to the principles of shared governance at all levels of the system. Of particular note is the fact that while the principles of shared governance in higher education have traditionally identified the president (as a placeholder for the senior administration), the faculty, and the board as the “parties” to shared governance, the system’s bylaws state that, “shared governance requires the informed participation and collaboration by faculty, students, staff, and administrators” [emphasis added].³

Further, the bylaws state that faculty, staff, and students will have the opportunity to “participate, appropriate to their knowledge and special expertise”⁴ on topics ranging from mission and budget priorities, curriculum, faculty appointments and promotion, and selection of administrators to human resource policies and “other issues that arise from time to time...”⁵

The bylaws also mandate that each institution “shall have either a single shared governance body for the institution as a whole, or separate bodies for faculty, staff, and students.”⁶ Of significance is the fact that while the role of contingent faculty in governance has become a challenging issue on the national scene in recent years, the Maryland system bylaws—amended nearly three decades ago—specify that:

Institutional structures for shared governance shall address the role of non-tenured and non-tenure track, part-time, adjunct, and other faculty ranks as established by Regents’ policy, as well as other employees on long-term contracts.

The importance of effective implementation and practice of shared governance on the system’s campuses is emphasized by the fact that it is an important component of the annual evaluations of the system chancellor and campus presidents, as well as other senior administrators.⁷

¹ Personal conversation, December 16, 2016
² The bylaws policy on shared governance was subsequently amended in 2000; http://www.usmh.usmd.edu/regents/bylaws/SectionI/I600.html
³ Ibid., 2.
⁴ Ibid., 2.
⁵ Ibid., 2.
⁶ Ibid., 2.
⁷ Ibid., 3.
The bylaws also recognize that effective shared governance entails responsibility, and note the responsibility of all parties to be informed on relevant issues, to share information, and to hold themselves accountable to their constituencies.\(^8\)

Finally, the bylaws make it clear that “while participation in governance by faculty, staff, and students is necessary and important,”

...the final responsibility for decision making rests with the institutional Presidents, the Chancellor, or the Board of Regents, who are ultimately held accountable by the public and its elected leaders.\(^9\)

**Actions Taken**

In actual practice, shared governance takes place in many forms and at many levels across the system. At the system level, there are four Councils; the full Council of System Presidents meets monthly with the chancellor, as do the chairs of the other three Councils:

- The Council of University System Presidents (CUSP)—the twelve campus leaders of the system; the chairs of the other three Councils (below) join them for part of their monthly meetings with the Chancellor
- The Council of University System Faculty (CUSF)—faculty representatives from each of the twelve campus appointed by their respective campus senates;\(^10\) the number of representatives from each campus is proportional to the total size of their faculty; the Council “advises the Chancellor and reports regularly to the Board of Regents. Its responsibility will be to consider and make recommendations on matters of System wide professional and educational concern to the faculty and matters to which faculty bring special expertise.”\(^11\)
- The Council of University System Staff (CUSS)—staff representatives from each campus appointed by their respective campus senates; the mission of this Council is to “provide a voice for Staff employee concerns in reference to basic decisions that affect the welfare of the University System of Maryland (USM) and its employees”\(^12\)
- The University of Maryland System Student Council (USMSC)—comprising the presidents of each campus student government,\(^13\) with a charge to “ensure that the system leadership is aware of student perspectives and responsive to student concerns and issues;”\(^14\) the vice chancellor for academic affairs meets monthly with this Council

The regular meetings of the Councils are augmented by a variety of other convenings. All of the Councils meet together with the Chancellor on occasion. Further, the Council chairs regularly give reports at the monthly meetings of the board of regents. All three of the system-wide governance bodies meet once a

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\(^8\) Ibid., 3.

\(^9\) Ibid., 4.

\(^10\) As per the bylaws, some campuses have separate faculty, staff, and student senates, while several have a university senate that includes all three groups

\(^11\) http://www.usmd.edu/usm/workgroups/SystemFaculty/

\(^12\) http://www.usmd.edu/usm/workgroups/SystemStaff/

\(^13\) The Student Council annually nominate candidates for the Student Regent Position on the board

\(^14\) http://www.umuc.edu/current-students/student-life-and-support/usm-student-Council.cfm
year with members of the board. Twice a year, the faculty senate presidents from the campuses convene with the chair of the CUSF. The chancellor periodically appoints working groups—often involving board members, senior administrators, faculty, and students.

As mandated by the bylaws, the state of shared governance on each of the system's campuses is an important component of the presidents' annual performance evaluations. In May of each year, a survey is distributed to each of the campus senates. There seems to be wide disparity in how the responses are handled—some institutions distribute the survey to all faculty, some to their full senates, some to their senate executive committees, and—in a few cases—the senate chair is the sole respondent.

The survey asks the respondents to evaluate the president (and, in some cases, "the administration") on the basis of sixteen criteria related to the effectiveness of shared governance on campus, communications, and faculty involvement in decision making. The complete sets of survey responses are forwarded to the chancellor for consideration in the annual presidential performance reviews, and a summary report is compiled and made public by the chair of the Council of University System Faculty.

Outcomes

The chancellor and his colleagues endeavor to make sure that the agendas of the various convenings are meaningful—not pro forma—focusing issues of substance and consequence. As a result, attendance at these meetings is consistently high, reflecting the participants' appreciation of their importance. When important decisions are made, campus stakeholders know that their voices have been heard and taken seriously, even when the decisions are different from what some may have advocated.

At the same time, it is also clear that the complexity, diversity, and geographical dispersion of the system create issues with which the leadership—administrative, board, and faculty—is still grappling. The latest governance survey report prepared by the chair of the Council of University System Faculty (June 2016) indicates that faculty evaluation of the president's commitment to and practice of shared governance varies from campus to campus, with a number of campus showing a high level of satisfaction and some others raising concerns in these areas. Additionally, comments in the survey responses indicate issues on some campuses regarding the commitment to faculty engagement in decision making on the part of administrators other than the president, i.e., deans and department chairs.

An area of concern that arose in our conversations was communication—the impediments to effective communication imposed by everything from the geographic dispersion of the campuses and the increasing dispersion of faculty (as a result of online offerings for which faculty are located all over the globe) to the impact of social media. One of the challenges that was mentioned is that Senate and Council chairs are not always communicating effectively with their members, or with the constituencies that they represent—an issue that is not at all uncommon on the nation's campuses.

Email and social media were identified as both assets and challenges. In principle, they afford robust communications channels—in both directions—that can be extremely helpful in such a dispersed and complex organization. At the same time, the chair of the CUSF makes a strong case for the fact that much can be lost when important conversations do not take place in assembly, when participants do not connect face-to-face, a point that is reinforced by the chancellor and the chair of the board of regents.
Further, it was pointed out that social media have the ability to undermine the formal governance structure and stakeholder engagement in important issues. In particular, faculty, staff, and student councils are learning that even though they are the elected representatives of their constituencies, their voices are not necessarily the loudest or getting the most media attention. At the same time, as most of us in higher education have experienced, the nature and quality of discourse through electronic means are often quite different than they would have been in face-to-face contact.

In sum, it is clear that there is a pervasive commitment to shared governance at the system level, and that the input of faculty (including contingent faculty), staff, and students is heard and valued as the system leadership and the board of regents reach decisions that define the system’s (and the individual campuses’) present and future. Given the diversity of institutions, campus leadership, and the overall complexity of the system, it is not surprising that pockets of challenges to effective governance remain. But it is also clear that those challenges are recognized by all of the parties, and that there is a collective commitment to address them.

Lessons Learned

- There is a need to continually reinforce the concept that shared governance is an evolutionary process that requires constant review and a willingness to redefine as circumstances change
- Leadership matters—effective shared governance requires that the leadership commitment (of the board, administrators at all levels, and faculty) to shared governance is evident in the manner in which decisions are reached
- Shared governance is not simply acting on the basis of assigned authority; it entails responsibility—for being thoroughly informed, for thoughtful engagement in the questions, and for holding oneself accountable for the outcomes
- Historically, the effectiveness of shared governance was predicated on the ability to physically assemble in one place to debate and discuss; that principle is increasingly challenged in the contemporary environment for higher education
- Critical terms that were heard in our discussions: trust, transparency, openness, communication, accountability