

Strategies for enhancing collegial governance and effectiveness in governance spaces

A University Governance Committee resource

February 2022

OCUFA

Ontario Confederation of University Faculty Associations
Union des associations des professeurs des universités de l'Ontario

Strategies for enhancing collegial governance and effectiveness in governance spaces
A University Governance Committee resource

February 2022

Ontario Confederation of University Faculty Associations (OCUFA)

The Ontario Confederation of University Faculty Associations has been the provincial voice of university faculty since 1964. OCUFA represents over 17,000 professors, academic librarians, and other academic professionals in 30 member associations across Ontario.

17 Isabella Street, Toronto, Ontario M4Y 1M7

416-979-2117 | ocufa@ocufa.on.ca

www.ocufa.on.ca

Introduction

Collegial governance has been increasingly under attack at Ontario universities over the last several years. Faculty and academic librarian associations across the province have raised alarm about how universities are being governed, including a lack of meaningful faculty and academic librarian input and involvement in university decisions, top-down management from increasingly corporatized boards and administrations, and an erosion of transparency and accountability.

The OCUFA University Governance Committee was tasked with developing a resource to assist member associations in protecting and enhancing collegial governance at their institutions. Given the range of governance models at universities across the province and the differences in size and resources among OCUFA member associations, this document provides a wide range of suggestions with the understanding that not all are possible at all institutions. The committee decided to provide a comprehensive list of possible interventions to give member associations a range of strategies to select from based on their individual contexts.

This document speaks to an overall erosion of collegial governance at Ontario's universities due to increasingly overreaching boards of governors with corporate mentalities and composition. In addition, tenured faculty have become increasingly burdened with other responsibilities and casualized contract faculty—who are not compensated for research or service activities—now make up the majority of teaching faculty on many Ontario campuses. Further, many governance matters have shifted into the realm of administrators, which has led to a decreased awareness of the history and importance of shared governance as well as skepticism about its potential impact. The switch to remote employment during the COVID-19 pandemic only elevated concerns about the lack of faculty and academic librarian engagement in university governance. As faculty and academic librarians return to campuses when it is safe to do so, we must ensure that the shared governance models are respected, as they ensure the proper functioning of our public universities and are formally enshrined in policies and provincial university acts. This document suggests concrete steps that member associations can take to protect against some of the most pronounced threats to shared governance at universities in Ontario.

Methodology

The work on this resource began with the development of a comprehensive list of structural barriers to collegial governance and, in particular, faculty and academic librarian participation in governance processes. The committee then identified common concerns and structural and practical barriers in different areas of university governance. The committee's expertise, its members' observations and research on this topic, have been relied on throughout the process.

Increasing engagement in governance

With the gradual erosion of collegial governance at Ontario's universities faculty and academic librarian participation in university governance structures has also diminished. This is due to several factors, including increased time pressures and the devaluation of service work compared to research and teaching; the systemic exclusion of faculty and academic librarian representatives from key governance bodies and decisions; the growing corporatization of governance, including the use of consulting firms and external companies; an alarming rise in numbers of contract faculty who are usually excluded from governance structures; and the development of new policies and practices centred on notions of confidentiality, secrecy, and reprisal, which limit intramural academic freedom and the ability to be effective and engage with their colleagues and community.

In this section, the committee has provided recommendations on ways to address barriers to engagement in governance and to facilitate effective faculty and academic librarian participation in governance spaces. The committee posed a number of questions in developing this section, including:

- ▶ How do we ensure that participation in governance is not an added burden on faculty and academic librarians?
- ▶ How can faculty and academic librarians participate in governance “smartly”, i.e. be effective and informed without the need to attend countless meetings?
- ▶ How can an individual member be effective in governance bodies such as boards and senates?
- ▶ How can faculty and academic librarians regain ground in areas of governance, such as senior administrative searches, recruitment strategies, investment priorities and practices, etc. where they have been pushed out and replaced by consulting and professional firms?
- ▶ How can contract faculty be meaningfully involved and compensated for their service, including in governance?

Recommendations

1. Publicize positive instances where faculty and academic librarian input has been solicited and incorporated into important decisions through collegial governance. It is important to note that the more effective members feel in governance spaces, the more interested and engaged they will be. The lack of interest in engaging with governance issues or volunteering for governing positions is often the result of people feeling that the spaces are not worth the effort because they cannot have a substantial impact on important decisions.
2. Ensure that faculty and academic librarians in representative roles are in communication with their constituencies so they can both report back on the proceedings at the governing body and seek feedback on issues that are going to be debated and discussed at the senate or board. Faculty and academic librarians should either make use of existing structures or create new mechanisms for communicating with their constituency and resist any confidentiality policies that unduly limit what can be reported back.

3. Create a governance committee within your association. This committee should have Senators, contract faculty, and board representatives and have a mandate of ensuring that your members have a strong voice at senate, board, and any other bodies that influence institutional governance.
4. Establish a pre-senate caucus or other consultation where faculty, academic librarian, student, and staff Senators can gather and discuss issues of importance on the agenda, develop a strategy and coordinate responses, and share the workload of going through meeting packages.
5. Reach out to students and staff and their unions on issues of common concern.
6. Ensure that service work is not devalued. If the collective agreement has clear definitions about service yet the service work is being devalued (e.g., in terms of promotion, merit), then associations need to ensure their members' service is counted. It may be helpful to educate members serving on promotion and tenure committees on the value and scope of service as defined by the collective agreement to ensure that service to governance bodies is duly recognized.
7. Know the content of the legislation establishing your university, as well as rules and procedures governing the different bodies. It is helpful to ensure that Senators and board members know their rights and responsibilities through training provided by the association or via board and senate.
8. Ensure that representatives on board and senate bring issues of importance to the floor and follow procedures to have them added to the agenda after consultation with their constituency. Often, the agendas of senates and boards are very rigid and are set by the leadership of these bodies. It is the responsibility of Senators and board members to ensure, among other things, that issues of concern to their constituency are discussed and addressed at these bodies.
9. Utilize motions at senate and board both to invite debate and discussion and to create accountability. Senates and boards often become spaces where reports are made and conversations are had without clear direction or decision making, resulting in the common belief that these are useless or rubber-stamp bodies and that real decisions get made elsewhere. Submitting a motion is an effective tactic for creating space for discussion around a specific topic and for soliciting a clear decision on the matter. In larger bodies, it is important that faculty and academic librarian representatives find a way to share the burden of raising motions to prevent the voices of only a few being heard which, first, may suggest that only a small number are concerned and, second, unfairly puts the responsibility on a few members.
10. Utilize the option of requesting special meetings of senate to address issues that administrators may otherwise try to keep out of senate. Some universities have a dedicated space on their senate agendas for discussion of critical and timely issues. Senates also commonly have provisions for a minimum number of Senators who can request a special meeting to deal with an important issue.
11. Put an end to bullying that administrators in the senate may promote, such as silencing individuals who raise issues or debate the administration's decisions in senate meetings. Employ knowledge

of rules of order and respectful workplace policies when appropriate to ensure that the voices of faculty and academic librarian representatives, especially those from equity seeking groups, are not muzzled.

12. Reach out to other colleagues on senate ahead of time when there are important issues at play at senate. This creates a reliable network that can be activated on critical issues. It is very helpful to have a “map” of Senators and their networks prepared in advance to facilitate the process and in order to be effective and comprehensive in communication campaigns.
13. Ensure there are speakers at senate ready to line up at the microphone to speak on important issues so the issue can be framed well.
14. Propose having individual microphones at senate and board meetings as they help in increasing participation. Having to go to a central microphone can be intimidating or deterring to some representatives, especially if the debated issue is deemed controversial.
15. Coordinate questions and submit items of importance (to your members) to be put on the senate agenda. Take control so the issues that your members care about are on the agenda and discussed and debated. Some universities have adopted a “consent agenda” process in order to save time on routine matters and allow fuller discussion of important issues.

Contract faculty, academic librarians, and governance

Contract faculty and academic librarians are commonly underrepresented in university governance spaces, even though universities are increasingly reliant on their work. Contract faculty teach more than half of courses at most universities in Ontario and yet they continue to be excluded from most governance structures. One of the barriers to the involvement of contract faculty and academic librarians in governance work is the lack of recognition and compensation for their research and service work.

In this section, we have included some tactics and steps to facilitate the participation of contract faculty and academic librarians in governance structures and to increase their presence in the different areas of university and, where appropriate, faculty and academic librarian association spaces. It is essential to consult contract faculty and academic librarian members when engaging in these actions.

Recommendations

1. Examine your university's legislative act and bylaws of senate to see if there are restrictions on contract faculty and academic librarian membership in senate. If so, organize support for a bylaw change motion at senate. If senate bylaws are silent on contract faculty and academic librarian representation, propose a new bylaw provision that would mandate representation.
2. Advocate for the inclusion of contract faculty and academic librarians in departmental and decanal searches.
3. Bring motions to faculty and academic librarian councils for revisions to decanal search committee structures to include contract faculty and academic librarians if they are not already included.
4. Develop a brief on why contract faculty and academic librarians must be included in governance decisions and present it to your university's governing bodies.
5. Review the governing documents of departments and advocate for appropriate representation of contract faculty and academic librarians, including voting privileges, in the departmental governing body.
6. Review the internal structure of your association to ensure contract faculty and academic librarians are compensated for association work.
7. Gather information on what service contract faculty and academic librarians have been doing at your institution. What service has been paid and what service has been unpaid? Do tenured faculty, academic librarians, Chairs, or Deans ask contract faculty and academic librarians to do service? Is it paid or unpaid? Ensure that any university or association policies that include compensation for contract faculty and academic librarian service work explicitly include governance work.
8. Promote the contributions of contract faculty and academic librarians in areas of service, outreach, and research to the broader campus community and advocate for fair compensation and working conditions so they can continue to contribute to the university.

9. If your association has a governance committee, ensure that contract members are included on the committee. If your association does not represent contract faculty or academic librarians on your campus, consider reaching out to the appropriate union and forming a joint committee.
10. Improve collective agreement language to ensure that contract faculty and academic librarians are compensated for the service work they provide to the university (e.g., hiring committees, health and safety committees, curriculum committees).

Transparency and effective communications

One of the governance concerns often raised by members is the lack of transparency and the high degree of secrecy in university governance, particularly with regards to significant financial and strategic decisions at the university. Faculty and academic librarians are often not consulted or asked to engage in consultations that are superficial and seemingly designed for optics rather than genuine engagement. This goes hand in hand with ineffective communication practices resulting in a disconnect between the majority of the faculty and academic librarian complement and their representatives on governance bodies and the leadership of the university.

In this section, the committee has attempted to tackle the topics of communication and transparency in relation to collegial governance. We provide suggestions on how to ensure that members are more informed about the governance of the university and how members can contribute to establishing transparent practices at governing bodies. We also suggest strategies for better communication practices to address the disconnect between debates happening on university boards and senates and the members at large.

Recommendations

1. Circulate excerpts about relevant topics from senate and board meetings to your membership after each meeting.
2. Improve collective agreement language regarding transparency and proper communication.
3. Scrutinize in-camera practices at board and senate to determine whether they are necessary, or if they are simply designed to shield board members and Senators from public scrutiny and accountability.
4. Create an environment of two-way communication by ensuring the board is aware of member concerns and activities through some or all the following:
 - Encourage faculty and academic librarian members on senate to visit the board to summarize their issues or to present on their accomplishments at the institution in order to familiarize the board with faculty and academic librarian contributions.
 - Arrange for permanent and contract representatives to regularly visit board meetings or send communications to the board as a way to establish a line of communication between the board and your members. This will encourage the board to respond to questions and concerns brought to them in a meaningful way.
 - Ensure your association is in communication with the board and not just the senior administration around issues of priority to your members and offer the board the option to have its members receive news from your association, where appropriate.

Policies, practices, and domains

While the structure of governance bodies heavily contributes to their role in collegial governance at an institution, day-to-day governing practices and policies are often equally impactful. Gaps in institutional policies, continued use of flawed policies, and practices that diverge from the rules and principles of the institution all contribute to faulty models of shared governance.

Furthermore, the contrast between issues deliberated at shared governance bodies of an institution and the scope and nature of the decisions and issues that get decided through administrative channels are a good test of a university's governance model and whether it is top-down or rooted in collegiality. One way to measure this is whether matters that directly affect your members and their work are discussed and decided at shared governance bodies or through administrative channels.

In this section, the committee provides suggestions for how associations can conduct a governance audit of their institutions and advocate for policies and practices that are in line with principles of shared governance.

Recommendations

1. Use the [OCUFA University Governance Report Card](#) to assess how your university's governance practices measure up against the principles identified by OCUFA.
2. Poll association members, starting with a targeted group: Senators, past and present. The senate network (noted earlier in the document) could reach out and poll fellow faculty and academic librarians. If your association has a governance committee (noted earlier in this document), it could also take on this task.
3. Examine the use or abuse of in-camera sessions and advocate against excessive use of in-camera sessions.
4. Advocate for "sunset clauses" for any decisions made in exceptional circumstances. Challenge decisions that were made outside of appropriate academic channels. Ensure those decisions are taken through consultation moving forward.
5. Offer faculty and academic librarian-led education for members of the board on foundational principles of the university, including academic freedom, collegial governance, and the nature of academic work.

Budgets and governance

University budgets heavily influence how decisions are made at an institution. Even though there are clear distinctions between the budget as a political and planning document and actual spending at an institution, budgetary limitations are often used as justification for forcing decisions in governing bodies or going around the appropriate governing structures of the university. Further, the lack of meaningful consultation and transparency around university budgets, exclusionary practices around budget committees, and the lack of accountability and scrutiny around universities' spending are all too common.

In this section, the committee provides recommendations for ways in which associations and faculty and academic librarian representatives on governance bodies can address the challenges university budgets and financial decisions bring to collegial governance. Recognizing the direct ties between policy-making and financial decisions, we encourage faculty, academic librarians, and their associations to work towards more transparency and consultation in the development of university budgets and to oppose efforts to separate academic decisions from financial ones.

Recommendations

1. Know the budget model of your university and recruit experts within your membership to assist in reviewing and analyzing the institution's budgets and financial statements. OCUFA's University Finance Committee can assist associations with this task.
2. Consider striking a financial information sub-committee in your association that meets regularly with the administration to receive financial updates. This sub-committee can also advise the association on the information it should be regularly requesting and questions it should be asking the administration.
3. Consider proposing a senate budget committee as senates are often excluded from budgetary decisions. Forming a budget committee of senate or a joint committee with board, would allow for more transparency and scrutiny with regards to university budgets and for better communication between the senate and the board. Since finances are a board responsibility, the senate budget committee is best positioned as a committee to examine the academic implications of university budgets.
4. Organize to change the composition of board budget committees. Many boards of governors do not allow internal members, such as student, faculty, academic librarian, or staff representatives to sit on board budget committees. You can organize to ensure that internal members have voting or non-voting rights.
5. Include budget presentations and university financial updates at your association's general meetings to inform your members and to hear concerns that can be communicated to governing bodies. These budget reports can be regularly presented to members or be scheduled around collective agreement negotiations.

6. Ensure that your association has an ongoing relationship with the Chief Financial Officer (CFO) of the university and that you are receiving regular updates, data, and information on the university's financial status from the CFO.
7. Scrutinize the budgetary and financial decision-making practices at the faculty, departmental, and university levels and, in particular, inquire about the spending of central funds. Many universities are opting for shared responsibility budget models that allow for decentralized resource allocation to faculties based on their generated revenue. There are many concerns, including around equity and governance, with these new models and their impact on smaller departments and programs.

Senior administrative/academic searches

The [2018 OCUFA Survey of University Governance](#) demonstrated a marked tendency towards closed searches for Presidents and other senior administrative positions at most universities in the province. The data also showed an overwhelming increase in the employment of professional hiring and consulting firms and headhunters to administer search processes for senior administrators. This trend is in line with the growing prevalence of corporate members and the resulting corporate practices on university boards. This tendency towards secrecy both disempowers members and creates a culture where transparency in governance is not a priority.

In this section, the committee provides recommendations on how faculty and academic librarians, their representatives on governing bodies, and their associations can advocate for higher transparency in senior administrative and academic searches.

Recommendations

1. Explore ways to include language on open search processes in collective agreements.
2. Know the history of open searches at your institution, speak to precedents of open searches, and demand justification for any proposed changes to approach.
3. Ensure your association is closely engaged with the search committee selection process and is aware of relevant timelines for feedback.
4. Ensure that there is a consultation process on selecting hiring firms if search firms are being used. It is often search firms that recommend closed searches and secretive processes and it is important to ensure they are not setting university policy on this issue.
5. Ensure that the same open processes that apply to hiring are applied to renewal as well.
6. Advocate for a transparent consultation process. Feedback submitted through consultations is often kept confidential, so it is unclear whether the feedback of the community is in fact included in the selection process. If feedback was requested confidentially, aggregated results can still be shared without identifying information.
7. Advocate for individuals to have the choice to make their submissions public (anonymous or named) either through the search committee establishing a public space or through your association.
8. Review confidentiality statements prior to the search and advocate for a balance between confidentiality and transparency. Closed searches often tip the balance in favour of confidentiality.

Collegial governance during an emergency

It is not uncommon for an institution's governing policies and practices to be temporarily suspended, altered, or outright ignored during a local or provincial emergency. In these circumstances, if institutions do not have a plan for governing during an emergency, they most often revert to a top-down, non-consultative and non-collegial approach to decision-making. Recent examples of university responses to the COVID-19 pandemic, as well as the 2021 Laurentian University financial crisis, are indicative of this phenomenon.

In this section, the committee has focused on the topic of university governance during an emergency and provided suggestions for how universities can ensure proper governance during emergencies.

Recommendations

1. Ensure there are established channels for direct, regular communication during a crisis. Faculty and academic librarian associations must be in constant communication with appropriate administrators, decision-making bodies, and the association membership.

You can do so by:

- a. Reviewing the emergency measures defined in senate and board bylaws and, in the absence of clear process, ensuring that regular policies and processes for addressing crises and emergency situations are developed in advance.
 - b. Initiating a discussion through your association to develop emergency communications measures. You can use the COVID-19 crisis as an example to ensure they are developed prior to another crisis and are ready to be activated when needed.
 - c. Establishing joint committees of the administration, campus unions, senate, and board to develop and review temporary communication channels for use in emergencies.
 - d. Reviewing the emergency measures defined in senate and board bylaws and, in the absence of clear process, ensuring that regular policies and processes for addressing crises and emergency situations are developed in advance.
2. Work with your administration to ensure that emergency measures are temporary and are suspended at the conclusion of a crisis to avoid establishing a harmful precedent. Get a written confirmation of the temporary nature of such emergency measures.
 3. Review powers of the senate executive as this body often has particular powers to make decisions on behalf of senate during the summer months or in particular situations that require a speedy response.
 4. Review your association's internal policies and processes for addressing emergencies.

5. Ensure there are clear accountability processes for the board and clear expectations for senate representatives to the board to regularly report to senate, with added provisions during emergencies.
6. Ensure there are clear directions and permissions for faculty and academic librarian representatives on board and senate to speak to and consult with their constituents. This will immensely help with keeping the community informed and engaged during a crisis.
7. Review senate and board policies and bylaws regarding in-camera sessions. In the absence of clear language or provisions, develop clear policies for when and how in-camera sessions are held. There is a tendency to abuse in-camera provisions to avoid transparency and accountability in moments of crisis. Having clear policies and practices set ahead of time will play a role in minimizing this harmful practice.
8. Limit the scope and duration of emergency measures that violate collective agreements through clear and binding letters of understanding.
9. Once the emergency ends, participate in or initiate a critical review of the emergency procedures so that any needed adjustments are made before they need to be invoked again.

Conclusion

To preserve and enhance collegial governance, faculty and academic librarian associations must be vigilant. We hope this document equips member associations with tools to strengthen collegial governance bodies at their institutions and advance more accountable, transparent, and effective systems of shared governance.

We note that resources such as this one will inevitably be incomplete and risk becoming dated as new threats arise. Nonetheless, all of the concerns discussed in the introduction are likely to remain present on our campuses in the coming years. OCUFA will continue to serve as a resource for information and support of member organizations. Both OCUFA and its member associations must raise awareness about the importance of shared, collegial governance and the ways in which it has been limited or ignored by university employers in recent years. This document seeks to provide some tactics member associations can employ to prevent the further erosion of collegial governance and to help restore proper decision making that includes the voices of faculty, academic librarians, students, and our university communities.

For any inquiries regarding this resource or to share any comments, suggestions or feedback, please contact [Mina Rajabi Paak](#) at the OCUFA office or [Neil Brooks](#), the chair of OCUFA's University Governance Committee.