

To: Members of the UDM Community:
From: Shared Governance Task Force
Date: December 19, 2006
Re: Final Shared Governance Proposal

We are now coming to the end of the pilot period for the UDM shared governance proposal. The framework for this period was adopted by the UDM community and became effective May 15, 2005 and, since its adoption, the various elements of the shared governance framework have been put in place. While our initial plan was for the final shared governance proposal to be adopted by April 15, 2006, by mutual consent of the university administration and the UDMPU, this date was pushed back until January 2007.

It is now time for the university community to decide whether this framework (as modified by the changes we are proposing below) shows enough potential to be adopted as the permanent shared governance structure. If the UDM community votes to adopt this proposal, it will serve as the underlying organizational document and framework for the university's shared governance structure. If this proposal is rejected, the structures that have been established under it will cease to exist, and the university's experiment with shared governance will end.

This memo is in seven parts:

- Part one summarizes what has happened during the pilot period of the shared governance structure.
- Part two addresses the Shared Governance Task Force's assessment of the pilot period and describes the changes that the Shared Governance Task Force ("Task Force") is proposing as part of the final proposal.
- Part three discusses what will happen next.
- Part four offers some final thoughts.
- Part five provides the actual final text of the shared governance proposal. It is this proposal which members of the UDM community will be voting to adopt.
- Part six provides a "red-lined" version of the final proposal compared to the pilot proposal so that you can more easily see the changes in language between the two documents.
- Part seven provides links to a series of documents that describe the structure of key shared governance entities established under this proposal.

They are provided for your information so that you have a sense of how different pieces of the framework are structured. Please note that by voting for the shared governance proposal, the UDM community is NOT voting to adopt these particular organizational documents, as one would expect them to evolve throughout the period of shared governance. They are provided, rather, to inform the UDM community about how different elements of the shared governance framework have been structured during the pilot period and how they will be structured during the initial stages of the permanent shared governance framework. Please note that while the Task Force has completed its review of the organizational documents for all the Teams, there are still some amendments to the MFA Constitution and Bylaws that remain to be enacted before they receive final Task Force approval. Upon final approval by the Task Force, the MFA Constitution and Bylaws will enter into effect.

Part I: What Has Happened So Far

Since the adoption of the shared governance pilot proposal, the university community has initiated the process of creating a culture of shared governance. The first step was the adoption of the shared governance pilot proposal. This proposal was adopted unanimously by the law school, by a unanimous vote by the dental school, and by a vote of 110 to 12 by the McNichols faculty. In addition, the proposal was approved by the administrative heads of the law, dental, and McNichols constituencies, as well as by the President and the Board of Trustees.

The second step was the creation (through the mixture of appointment and election, as determined by the initial proposal) of a wide range of new institutional entities, including university-wide teams, the McNichols Faculty Assembly (“MFA”), and committees under the MFA. The current list of teams and committees can be accessed at <http://www.udmercy.edu/governance>.

The third step focused on taking each of the new institutional entities for a “test-drive” and ascertaining whether there was enough “give in the joints” for the framework to work in real life. During this third step, a number of initiatives were adopted by the various entities and the groundwork was laid for further progress. Listed below is a summary of some of the major steps taken:

- Academic Standards for Minor proposal recommended – approved Sept 7, 2006
- Guideline for New Minors proposal recommended – approved Sept 7, 2006
- Program review process recommended – approved August 15, 2006
- Proposal for staff recognition, “Commitment to Excellence Award” recommended – approved July 26, 2006
- Standards for Certificate program recommended – approved May 16, 2006

- Proposal for a Greater Detroit Area Graduate Religious Studies Consortium program recommended – approved May 11, 2006
- Laptop proposal recommendations submitted January 30, 2006 – further information gathering and discussions underway
- Proposal on how to integrate the University Mission as part of the tenure and promotion process submitted to MFA - pending
- Proposal on how to incorporate mission and Jesuit and Mercy traditions into the Founders Week programming submitted – integration of SJ/RSM in Founders Week is an ongoing process/dialogue
- Blackboard upgrade proposal reviewed and placed on hold by IT Team as enterprise system is being discussed
- Study Abroad Program Guidelines and Standards recommended – pending decision
- Proposal to expand athletic programs reviewed by Budget Team with no final recommendation – University moving ahead in phased approach
- New faculty orientation process recommended – approved April 27, 2006
- Proposal for regular “Did You Know” Human Resources column for *Campus Connection* recommended – approved April 6, 2006
- Schedule for program review mutually accepted by MFA and Academic Vice President/Provost – approved April 3, 2006, modified May 16 and June 15, 2006
- Proposal for new Master’s in Nursing with a Specialty in Nursing Education recommended – approved March 23, 2006
- Nomination process and criteria for Mission Leadership Award recommended – approved March 2006

In addition, we established a communications process to try to keep members of the UDM community posted regarding what each of the teams and committees are doing. Under this process, teams and committees have been required to submit summaries of minutes from their meetings for posting on the university website. In addition, there has been significant informal communication between the MFA and its leadership on the one hand and the Academic Vice President/Provost (“AVP”) and the other members of the administration on the other hand.

Part II: Assessment and Plans for Improvement

As part of our charge, the Task Force has been assessing the strengths and weaknesses of the shared governance framework during the pilot period. We started with an initial list of performance measures, and then approximately 13 months into the pilot period, we assessed the performance based on these measures. (Our assessment based on this initial list is included as Attachment 1). In addition, we surveyed in October 2006 the members of the teams and committees regarding their experiences, and we have welcomed suggestions from participants in the shared governance process regarding proposed

improvements. (The statistical results of this survey will be posted on the Shared Governance website noted in Part VII).

Our general conclusions regarding the performance of the shared governance framework during the pilot period can be summarized as follows:

1. Overall, the framework has worked and is serving as an important step in establishing a culture of shared governance at the university. It is important in this regard not to let perfection be the enemy of the good. That is, there is no question that there have been some shortcomings in the shared governance framework, but the truth is that there always will be shortcomings in any framework. For us as a Task Force, the fundamental question is whether we are better off with this framework than without it, and we think the answer to that is clearly yes.
2. There are some issues that any framework cannot solve. There will be flaws in even the most perfect of shared governance systems. Some teams or committees will perform better in any given year than will others. While some of this performance may reflect structural weaknesses, in other cases differences in performance will be a reflection of the differing issues that need to be addressed, the dedication of the particular members of the team/committee, the quality of the committee/team leadership, and many other factors. We cannot, nor should we try to, create a structure that repeals the realities of individual strengths and weaknesses and differing human interactions.
3. Communication among the constituencies within the university continues to be the greatest challenge in creating an enduring culture of shared governance. This means not just communication between the administration and the faculty, but also communication of teams and committees with their constituencies, with each other, etc. This is not meant to be a criticism of any individual actor or entity; the truth is that communication will never be perfect. The reality is also that, given limited time available and limited attention spans, there is a certain trade-off between full communication and timely action. Recognizing that trade-off, the Task Force believes that some “tweaks” are needed in the communication process, and they are discussed further below.
4. It is important to note not only what did happen, but also what failed to happen. That is, despite fears to the contrary, the pilot process did not lead to insuperable bureaucratic obstacles to action and decision making; shared governance interactions did not hamper administrative abilities to deal with crises as they arose nor to address key issues in a timely fashion.

We have heard from a number of constituencies regarding proposed alterations to the shared governance framework. We very much appreciate the fact that people have made the effort to share their thoughts in this regard with us. In considering these proposals, we have established a rather “high bar” toward accepting any proposed changes that would dramatically alter the framework used during the pilot period. We do this for several reasons. First, the pilot period framework has been tested, and we do not want to adopt permanently a structure that has not had the benefit of testing and assessment. Second, we are very much aware that the shared governance structure operates and must be seen as a comprehensive system. This means that certain changes could not be made without undercutting either uniformity across the system or the delicate “balance of power and influence” among the parts. Thus, as a Task Force we have decided not to propose any significant changes to the conceptual structure that has underpinned the shared governance process throughout the pilot period.

While the shared governance pilot period has been one of significant progress, the Task Force does believe that some tweaking in the framework is necessary. We use the term “tweaking” advisedly. Overall, we believe that the framework has proven itself to be an appropriate one for our university at this time. We feel that it has shown an ability to enhance involvement of a wide range of constituencies in university governance and, in so doing, that it has improved university governance.

We have, however, identified a number of areas where we think some structural changes could improve the functioning of shared governance moving forward. In reviewing the proposed organizational documents put together by the various teams and committees, we also found certain provisions that struck us as more appropriately applied to teams or committees on a uniform basis. In this regard we should note that we have resisted the temptation to establish a sort of artificial uniformity in terms of the operating procedures of different teams. Each team has different responsibilities, different dynamics, etc., and it did not appear wise to try to standardize their operations unnecessarily. In addition, we want to give teams an opportunity to experiment with various procedural approaches that could inform future efforts to improve the shared governance framework.

Following are the major changes that distinguish the final proposal submitted for university approval from the structure adopted for the pilot period:

1. Streamlining the team process - It is very difficult to get right the balance between having sufficient teams to address the issues that require input from a broad range of constituencies and having so many teams that valuable time and resources get spread too thin. In addition, based on the experiences of the pilot proposal, it is not clear that we as a Task Force got right either the number of teams or their charges. Again, this is not an area for major change, but we are proposing the following “tweaks”:
 - a. Merge into one team the Mission/Vision team with the Urban/Service/Social Justice team. Both of these teams address key

issues related to the university mission as an urban Catholic institution. Each can provide input that can help the other. We also think it is more efficient to merge the implementation role of the Mission/Vision team (responsible for items such as Faculty and Staff/Administrative Mission Leadership Awards) with the advisory and advocacy roles of the Urban/Service/Social Justice team. In addition, the Task Force has concluded that we just have too many teams for maximum efficiency. The membership of the new team has been reconfigured to reflect the merger of the two teams as well as the new role of the Office of Mission and Identity.

- b. Discontinue the Entrepreneurial Team. We propose this with a certain sadness. As a Task Force, we were quite excited about this team when we proposed it initially. Given the challenges the university faces, it is particularly important that there be a mechanism for ideas to “bubble-up” from faculty, staff, and other members of the university community. Our initial thought was that an entrepreneurial team would provide the best structure for doing this. However, we did not do a good enough job in establishing its mandate or in working through how it could be truly integrated into broader decision making processes. We also have not been able to figure out how to give the team the kind of staff resources that it would need in order to make a real difference. Happily, the dedicated members of the Entrepreneurial Team came up with an idea that we think is worth pursuing.. In particular, they identified the need for “Entrepreneurial Workshops” which would provide structured opportunities for different members of the university community to identify and introduce entrepreneurial ideas that can be considered by the various elements of the shared governance structure for implementation. (These workshops might, for example, model themselves after the promising Research Matters discussions that have been initiated by the AVP.) What we now realize is that the best way for these ideas to get the attention and consideration they deserve is not for there to be a separate Entrepreneurial Team but rather for the Entrepreneurial Workshops to feed directly into the decision making bodies of shared governance. Accordingly, while the Entrepreneurial Team will be discontinued, the clearinghouse comprised of the AVP and the leadership of the MFA will be tasked with establishing a structure for Entrepreneurial Workshops as well as a process for the ideas generated at such workshops to be evaluated and, if deemed worthy, implemented through the shared governance process. Under this process, ideas emerging from Entrepreneurial Workshops would be assigned to various teams or committees for further consideration and/or action, with recommendations due back to the clearinghouse within identified time frames.

- c. Establish a process for ad hoc teams. Given the above, we want to give the shared governance system the ability to evolve as times and challenges change. Accordingly, the final proposal makes clear that the President or AVP (consulting with the Task Force on an ongoing basis) can establish ad hoc teams as needed to address particular needs as they arise. We vest this authority within the administration as teams are advisory to the administration. In order to be considered shared governance teams, such ad hoc teams would, however, be expected to be structured with the types of mixed representation (i.e., both administrative and elected faculty representatives) and to operate with the same kinds of procedures as other shared governance teams. In addition, these teams would not be permissible if they changed the overall framework of shared governance or removed authority from an existing team. This proposal does not remove from the administration the authority that it currently has to establish ad hoc entities that are not under the shared governance rubric.
2. Operations of teams/committees. There are several procedural issues that have arisen during the pilot proposal period that need to be addressed in a systematic manner:
 - a. Reporting relationship of Information Technology Team – While this team appropriately reports to the Vice President for Business and Finance, it has become clear that given the nature of the items that it handles, the team requires a closer relationship with the academic side of the university as well. Accordingly, the final proposal establishes a dual reporting relationship to both the VP for Business and Finance and the AVP.
 - b. Removal of team/committee members. The final proposal makes clear that the MFA is responsible for establishing procedures for when and how committee members should be removed for systematic non-participation. The Vice-President or other administrator to whom an individual team reports is responsible for initiating the replacement of any systematically non-participating member of a team. However, the replacement for such a member must be appointed or elected by the entity that was the original appointing or electing authority for that member. (If that original appointing authority chooses to reappoint the non-participating team member, then that ends the matter.) This removal procedure should be used sparingly and is only applicable for cases of pervasive and continuous absence and non-participation, and must be preceded by sufficient warnings of removal to provide an opportunity for reform.

- c. Oversight of teams. If teams are not functioning appropriately (e.g., not meeting as needed, dysfunctional, etc.), the final proposal makes clear that it is the responsibility of the Vice-President or other administrator to whom the team reports to rectify the situation. If a team feels that the problem lies with the administrator to whom it reports, the team should request intervention by the Task Force.
- d. Establishment of clearinghouse. The concern was raised with the Task Force that, given the newness of the shared governance system during the pilot period, many constituents have been unclear about where their recommendations need to go. This problem has been addressed on an interim basis through the establishment of an informal clearinghouse in which the AVP and the officers of the MFA have met regularly to track recommendations and to allocate their consideration to appropriate bodies. The Task Force has decided that it will retain residual authority to direct different recommendations and issues to appropriate bodies. However, the Task Force intends to delegate this authority to the AVP and the officers of the MFA for as long as that informal process functions well. Similarly, once team recommendations have been submitted to the appropriate vice-president, they would be forwarded to this clearinghouse for further assignment or input, as needed. Consistent with this delegation, the proposal also vests in the AVP (working together with the Task Force) the authority to call a meeting once per semester of team leaders together with executive officers of the MFA to clarify responsibilities for handling various issues and to share information.
- e. Program Review. During the pilot period, significant progress has been made toward establishing a program review process of undergraduate and graduate programs. While the pilot proposal separated the responsibilities of the Undergraduate and the Graduate Program Review Committees, it has become clear that there is a need for cooperation and coordination between these committees. In fact, close interaction is precisely what has developed between the committees during the pilot period. While the Task Force considered whether to merge these two committees, it has instead decided to reflect in the proposal the expectation that these committees will operate in joint session when considering proposals and reviews of programs that are both undergraduate and graduate. The language in the final proposal also makes clear that any changes to the cycle for program review would be made by the same entities that have the authority to establish the original cycle. With respect to new programs, majors, and minors, language has been added clarifying the MFA's authority to review proposals for new degree programs, new majors, and new minors. In addition, the MFA also has authority to review revisions to degree programs, majors, or minors that are so

substantial that the AVP and MFA conclude jointly such review is required.

- f. Library representation on the faculty development team. The Task Force has decided that there is little reason to require library representation on this team, and accordingly the final proposal does not require it. As discussed further below, the Task Force did, however, reject the suggestion of one person that library representation be reduced on other teams.
3. Improving communication. As noted above, while significant strides have been made in improving communication across the university, communication remains a work in progress. This is especially true as far as communication among different shared governance entities is concerned. We confess that we have been disappointed in the difficulty in ensuring that simple requirements (such as that teams/committees post summary copies of their minutes on the web) are met consistently. Part of the problem is related to the fact that there are so many entities with and among which communication needs to be coordinated. While we know that nothing on paper can insure implementation in practice, we are proposing several changes to try to streamline the process:
 - a. Minutes. The final proposal makes clear that all minutes must be submitted to the University Archives (sharedgovernance@udmercy.edu). The proposal also establishes that the minutes submitted will be posted in their entirety on the shared governance web site unless the team or committee involved also submits summary minutes for that purpose at the same time.
 - b. Web site maintenance. There is no staff that has been provided for maintenance of the shared governance web site. Accordingly, the final proposal makes clear that maintenance and updating of this web site will be as follows: The MFA will be responsible for designating an individual to update MFA and committee information. The IDS representative on the Information Technology team will be responsible for updating team information. The Dean of Libraries will be responsible for maintenance of the more general information on the website.
 - c. Communication among Teams and Committees. The Task Force is aware of several situations in which a team or committee has felt constrained from communicating with other teams or committees on issues in which such communication could provide valuable input. Accordingly, the final proposal makes clear that it is assumed that teams and committees are free to consult other teams and committees as appropriate for their task.

- d. Updated lists of members. In order to maintain an up-to-date list of members of committees and teams, the final proposal makes clear that the MFA is responsible for providing the Task Force with current lists of MFA and committee members. The AVP is responsible for providing the Task Force with current lists of team members.
4. Ministerial items.
- a. Names. In order to better reflect their actual responsibilities, the final proposal renames the Student Retention Committee as the Undergraduate Retention Committee and the Graduate Education Committee as the Graduate Standards and Retention Committee.
 - b. Term limits for administrators. The Task Force has been asked whether those team members who are appointed because of their position are bound to only two consecutive terms. The final proposal makes clear that the answer to this question is no.
5. Continuing role of Task Force. The members of the Task Force have been awaiting with alacrity the final adoption of the permanent shared governance structure with the hope that the Task Force would disband and its members would be released from their continuing responsibilities for shared governance. That has been our hope. (We thought that if anyone deserves time off for good behavior, it should be us!) Unfortunately, as we have considered the structure of shared governance in its permanent form, we have concluded that there is a continuing role for the Task Force to play. For example, there is clearly a need for some continuing entity to serve as “umpire” related to issues of relative powers and responsibilities of different shared governance entities. In addition, we are under no delusion that we have established anything near the “perfect” system, and there is a need for a continuing entity to be able to propose structural changes several years from now. In that regard, it should be stated from the outset that the Task Force has no intention of fiddling with the structure on a continuous basis. It is also the fervent hope of the Task Force that the need for it to meet either to deal with structural issues or with “umpiring” disputes will be limited and will arise infrequently. In addition to the above, the Task Force will have the authority to oversee a process in conjunction with the University administration for implementation of the requirement in the proposal that there be a “360 degree evaluation of non-academic programs.” As described elsewhere in this memo, the Task Force will retain residual authority to establish a clearinghouse for better communication among teams, and for the allocation

of responsibilities among the different shared governance entities. It will also coordinate a continuing assessment process of shared governance. Given the continuing role of the Task Force, the proposal makes clear that when Task Force positions become vacant, they will be filled by the same way in which the person previously holding the vacant position was named, and that the Task Force must always include representation of the administration, the law school, the dental school, and the McNichols' faculty.

While we understand the current need for the Task Force to continue, we recognize that as shared governance at the university evolves, the need for it over time may either change or disappear. Therefore, under this proposal, the Task Force will remain in its current form and with its current membership through 2010 (except for the filling of vacancies as they occur), thereby providing for three years of full-scale implementation of shared governance. At that point, the Task Force will consider whether it needs to continue, and, if so, in what form. Should the Task Force determine that it needs to continue in operation indefinitely, it would at that point impose term limits on its members such that no current member will be permitted to serve more than five years after this proposal enters into force (i.e., no longer than 2012). A decision by the Task Force either to discontinue the Task Force after 2010 or to continue the Task Force past 2010 with powers and responsibilities substantially similar to (or including only a portion of) those that it has under this proposal will be self-executing (i.e., approval of this proposal will give the Task Force the authority to determine its form after 2010 without the need for an additional vote of the constituencies adopting this proposal).

6. Amendments and Evolution of shared governance. It is difficult to determine the appropriate balance between setting organizational decisions in stone and enabling them to evolve. While it is clear that shared governance must be able to evolve over time, the Task Force is very much aware of the fact that the shared governance structure represents a compromise among different university constituencies. Once it is adopted, it should not be possible for the overall sharing of responsibilities and distribution of power among the different entities to be changed without the approval of all the entities that approved the shared governance structure in the first place. Accordingly, the Task Force has added language to the final proposal that makes clear that no entity participating in shared governance may alter its structure or powers in a way that contradicts the distribution of authority and/or underlying structural relationships outlined in this proposal. Consistent with this, no amendment of an entity created by this proposal can be approved or ratified if it would cause the governing or other documents of that entity to be inconsistent with this proposal. For these purposes, the proposal makes clear that an amendment to the MFA constitution or by-laws will be considered a determination by the MFA in an area in which the faculty has primary responsibility. Wording has

also been added to clarify that this proposal does not limit the authority or the flexibility of the university administration to structure or restructure administrative areas or entities. In addition, wording has been added to clarify that no organizational document of any entity created by this proposal shall enter into effect if it has not been approved by the Task Force.

The items listed above are the major changes reflected in the final proposal for shared governance. There were a number of proposals for additional changes that were rejected by the Task Force. For example, one individual questioned whether the membership on the Undergraduate Standards Committee should be required to include representatives from each of the undergraduate colleges/schools. While the Task Force has required such stratified representation in some circumstances, it comes with a cost. For example, it both over-represents the smaller schools/colleges while also imposing on those schools/colleges with relatively small numbers of faculty too burdensome a responsibility to prevail on faculty to staff the affected committee. In addition, the Task Force is aware of how difficult it is to get people to run for all the positions available. It also recognizes that the MFA to which the committee reports is a body which guarantees representation from each school/college. Accordingly, the Task Force has decided to keep the membership of the Undergraduate Standards Committee as it is. Another person asked why the library has representation on certain teams and committees. As noted above, the Task Force decided to remove mandated library representation from the faculty development team. However, it has not changed the requirements for library representation on other teams and committees because of its belief that librarians possess important knowledge that should be represented on these teams and because of the central role that the library plays in faculty and student scholarship which is so central to the core mission of the university.

Part III: What Needs to Happen Next

This document provides you with the final proposal on which you will be voting. If there are any questions that require clarification, please send them to the Task Force at governance@udmercy.edu. You should review this document and its attachments and then be sure to vote. Voting will proceed as follows: The law school will vote at its faculty meeting on January 10, 2007. The dental school will vote at a Faculty Assembly meeting on January 3, 2007. The McNichols faculty will vote in January through a process to be coordinated by the MFA.

Again, in order to take effect, the proposal needs to be adopted by all of the constituencies which voted on the pilot proposal. They are: the University administration, the Board of Trustees, a majority of the votes cast by each of the three separate faculties (McNichols, Dental and Law), and the administrative leadership of the law school, the dental school, and of the McNichols faculty.

If the proposal is adopted, it will serve as the foundational document of the university's shared governance structure. It will not be able to be modified except with

the concurrence of all the constituencies which voted on it originally. If the proposal is not adopted, the entities created during the pilot period will cease to exist.

Part IV: Final Thoughts:

The Shared Governance Task Force wants to praise publicly the spirit with which the pilot has been implemented on all sides. There has been a clear commitment from the administration, especially as far as academic policies are concerned, to share information and seek input from the MFA. In addition, there has been a recognition on the part of all constituencies that various deadlines need to be met and that not every decision can be made through deliberative processes followed by majority vote. There has been significant cooperation from all parties, and the leadership and membership of the MFA have taken significant steps in a short period to create a workable structure for the MFA.

Ultimately, shared governance is more than a framework or a structure. It is a culture of cooperation and communication. We believe that as a university community we have made significant progress in the right direction during the pilot period, and the entire university is better for it. We must remember, however, that the work of shared governance will not be completed with the vote in January; it will have only just begun. But it is a journey that it worth making, and we hope you will agree to move forward with it.

Part V:

The final text of the shared governance proposal is attached as a separate document.

Part VI:

The red-lined version of the shared governance proposal is attached as a separate document.

Part VII

The link to the documents is below:

<http://www.udmercy.edu/governance/>