

1 UNITED ACADEMICS PROPOSAL

2 7-30-13

3
4 ARTICLE 3
5 SHARED GOVERNANCE
6

7 **Preamble**

8 Oregon state law, ~~and~~ the University of Oregon's original Charter, and the University
9 Constitution, as well as long-established practice, recognize the vital role of shared governance
10 between the University's governing board, president, ~~and~~ faculty, and University Senate as a
11 guarantee of the freedom to teach and engage in research, creative activity, and scholarship upon
12 which excellence in higher education depends. In that regard, it is mutually desirable that the
13 collegial system of governance be maintained and strengthened so that the role of the faculty will
14 be similarly maintained and strengthened.

15
16 **Section 1.** The parties agree that it is desirable that the faculty have primary authority over
17 choice of method of instruction; subject matter to be taught; academic standards for admitting
18 students; and standards of student competence in a discipline. The University Administration
19 affirms that in these areas the power of supervision, review and final decision lodged in the
20 Board of Trustees of the University of Oregon will depart from the faculty judgment on these
21 matters only in rare instances and for compelling reasons communicated to the faculty.

22
23 **Section 2.** The parties agree that it is desirable that the existing collegial system of shared
24 governance be maintained and strengthened so that faculty will have a mechanism and
25 procedures, independent of collective bargaining, for appropriate participation in the governance
26 of the university. To that effect, the University of Oregon Constitution shall remain in existence
27 for the duration of this Agreement subject to review and modification in accordance with
28 applicable Constitutional procedures.

29
30 **Section 2 3.** All departments or units shall develop written internal governance policies. The All
31 faculty in each department or unit may shall have the opportunity to participate in the develop
32 development of written policies for internal governance of the department or unit. At the outset
33 of its formulation of written policies, the faculty will first consider any input provided by the
34 appropriate department or unit head, dean, Vice President, Provost, or designee. The faculty will
35 submit their recommended policy to the appropriate dean, vice president, or designee for review.
36 The dean, vice president, or designee will provide a written explanation to the faculty and an
37 opportunity to discuss any alterations he or she makes to the recommended policy before
38 submission to the Provost or designee. The Provost or designee will have final authority to
39 establish policy for each department or unit. The department or unit head, dean, vice president,
40 Provost or designee may initiate changes to established policy regarding internal governance of a
41 department or unit by informing the appropriate faculty of the change being considered, thereby
42 initiating this process for policy development.

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2 Policies for internal governance must include provisions for appropriate documentation of
3 decisions and for the inclusion of Career NTTF who shall have, with a few exceptions that must
4 be justifiable (e.g. Tenure Review/Promotion Committees), full participation and voting rights in
5 formulating departmental or unit policies.
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7 **Section 3.** Oregon law provides for the Board of Trustees of the University of Oregon to include
8 one person who is a member of the faculty. (SB 270, section 6 (2013).) The Board of Trustees
9 manages the affairs of the university by exercising and carrying out all of the powers, rights and
10 duties that are expressly conferred upon the Board by law, or that are implied by law or are
11 incident to such powers, rights and duties. (SB 270, section 2.) The Board may establish policies
12 for the organization, administration and development of the university and, subject to Oregon
13 law, establish, supervise and control academic and other programs, units of operation and
14 standards, qualifications, policies and practices relating to university matters such as admissions,
15 curriculum, grading, student conduct, credits, scholarships and the granting of academic degrees,
16 certificates and other forms of recognition. (SB 270, section 11 (2013).)
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18 ~~The president of the university is the president of the faculty. The president is also the executive~~
19 ~~and governing officer of the university, except as otherwise provided by statute or action of the~~
20 ~~governing board. Subject to the supervision of the governing board, the president of the~~
21 ~~university has authority to direct the affairs of the university.)(ORS 352.004; SB 270, section 9~~
22 ~~(2013)).~~
23

24 ~~The president and professors constitute the faculty and as such have the immediate government~~
25 ~~and discipline of the University and the students therein, except as otherwise provided by law or~~
26 ~~action of the Board of Trustees. The faculty may, subject to the supervision of the Board and~~
27 ~~Oregon law, prescribe the course of study to be pursued in the university and the textbooks to be~~
28 ~~used. (ORS 352.010; SB 270, section 18 (2013)).~~
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30 ~~Under Oregon law, the Board of Trustees of the University of Oregon must submit any~~
31 ~~significant change in the University's academic programs to an office designated by the Higher~~
32 ~~Education Coordinating Commission as being responsible for university coordination. (SB 270,~~
33 ~~section 8.)~~
34

35 **Section 4.** The purpose of this Article is for the parties to affirm their commitment to shared
36 governance. A perceived violation of this Article is ~~not~~ subject to grievance ~~or arbitration only,~~
37 ~~but rather is a matter to be resolved among the Board of Trustees, the president and the faculty.~~
38 Violations of Section 3 are, however, grievable and arbitratable.
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