UNIVERSITY COUNTERPROPOSAL
9-17-13

ARTICLE 3
SHARED GOVERNANCE

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

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

Section 2. The parties agree that the faculty of each department or unit should have the opportunity to participate in the governance of that department or unit, according to policies initially developed and recommended by the faculty in accordance with Article 53 of this Agreement.

Section 32. The parties agree that it is desirable that the existing collegial system of shared governance be maintained and strengthened so that faculty will have a mechanism and procedures, independent of collective bargaining, for appropriate participation in the governance of the university. To that extent, the University of Oregon Constitution shall remain in existence for the duration of this Agreement subject to review and modification by the Board of Trustees in accordance with the Board's authority and in consultation with the president and the faculty in accordance with applicable Constitutional procedures.

Section 23. All departments or units shall develop written internal governance policies. The All faculty in each department or unit may have the opportunity to participate in the development of written policies for internal governance of the department or unit. At the outset of its formulation of written policies, the faculty will first consider any input provided by the appropriate department or unit head, dean, Vice-President, Provost, or designee. The faculty will submit their recommended policy to the appropriate dean, vice president, or designee for review.
The dean, vice-president, or designee will provide a written explanation to the faculty and an opportunity to discuss any alterations he or she makes to the recommended policy before submission to the Provost or designee. The Provost or designee will have final authority to establish policy for each department or unit. The department or unit head, dean, vice president, Provost or designee may initiate changes to established policy regarding internal governance of a department or unit by informing the appropriate faculty of the change being considered, thereby initiating this process for policy development.

Policies for internal governance must include provisions for appropriate documentation of decisions and for the inclusion of Career NTTF who shall have, with a few exceptions that must be justifiable (e.g., Tenure Review/Promotion Committees), full participation and voting rights in formulating departmental or unit policies.

Section 4. The purpose of this Article is for the parties to affirm their commitment to shared governance; as such, violations of this Article are neither grievable or arbitrable. If the Union perceives a perceived violation of this Article, it may invoke its right to consult with the President under Article 17 of this Agreement. – is not subject to grievance or arbitration only, but rather a matter to be resolved among the Board of Trustees, the president and the faculty. Violations of Section 3 are, however, grievable and arbitrable.