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UT-AAUP Newsletter

## Board of Trustees Delays Approval of Revised Faculty Senate Constitution

Shared Governance is not a legal requirement in Ohio. Ohio law gives legal authority and governance over state colleges and universities to each respective Board of Trustees (BOT). Faculty Senates and Shared Governance are not always held in high regard by the State legislature, the BOTs, and the administrations of these institutions. This is evidenced by the University of Toledo Board of Trustees unilateral hiring of President Postel without consultation with the Faculty Senate or other stakeholders. *Meanwhile, the UT Board of Trustees and the Administration have delayed the approval of the revised Senate Constitution.*

The Jacobs Administration tried to marginalize the Faculty Senate by creating a University Council with faculty and administrators above the Faculty Senate. Our UT Faculty Senate was instructed by the UT Administration and BOT to pass a resolution making the Faculty Senate subservient to the University Council. This was strongly opposed by the UT-AAUP before the Senate and across campus. The Senate voted down the resolution. Some colleges, including COBI, also rejected the resolution. Later, President Sharon Gaber had the Board of Trustees abolish the University Council. The UT Faculty Senate survives today because of the UT-AAUP and the commitment to shared governance enshrined in the UT-AAUP Collective Bargaining Agreements (CBAs). The UT-AAUP, through the CBAs, is empowered to file grievances to protect the Faculty Senate and Shared Governance.

The current UT Faculty Senate Constitution has been under revision for four (4) years by the Faculty Senate and the Senate Constitution Committee. Revisions have been discussed and approved several times by different UT Faculty Senates.

An important Constitution change has been to make Associate Deans ineligible to serve in the Faculty Senate. This change has been approved by at least two separate Senate votes after much debate.

Based on surveys by Faculty Senate officers and the UT-AAUP, other Faculty Senates in Ohio do not include Associate Deans and higher-level administrators as members. University Senates in Ohio do include administrators, including Associate Deans, but Faculty Senates do not.

Associate Deans and higher administrators should not be eligible for election to Faculty Senate. They have an inherent conflict of interest on issues where the Administration and the faculty have diverging interests, especially in situations where the Administration is trying to enact new policies that affect faculty rights, powers, duties, obligations, or benefits. As enrollments decline and budgets tighten, we must have an independent Faculty Senate free from the influence and control of administrators.

Associate Deans are administrators and regularly get elected to the Faculty Senate because the voting turn-out tends to be light in the Senate elections. Faculty do not pay attention, but administrators do and they vote. In one Senate several years ago, there were 12 Associate Deans, 20% of 60 Senators. With a low turn-out and a quorum of 30, they could potentially comprise 40% of the vote.

The revised Faculty Senate Constitution would make Associate Deans and above ineligible to serve in the Faculty Senate, but this revised Constitution has been delayed over and over by the Administration and the Board of Trustees.

Last year, UT Legal Affairs demanded a review of the revised Constitution and then sat on it for months with little or no explanation. It is now before the Board of Trustees, which has also been sitting on it. They may review it in April near the end of the academic year. This could cause the entire process to be carried over into yet another academic year. This is another example of how the Administration and the Board of Trustees marginalize the Faculty Senate and Shared Governance.

The Faculty Senate elections will commence this week. Faculty should carefully review the ballots (the nomination ballot and the final ballot) and decide whether it is in the best interest of the faculty and Shared Governance to elect Associate Deans to the Senate.

UT-AAUP Executive Board