

TO: Carol Folt  
FR: Concerned Faculty of USC  
RE: Shared Governance

August 9, 2019

Welcome to USC. The many members of Concerned Faculty look forward to joining you in strengthening shared governance on campus. Our group first came together over a year ago to demand accountability at USC and to address the many issues that have so damaged our community over the past few years. We firmly believe that these scandals would not have occurred if a stronger system of shared governance with faculty were in place. We write today to share several ideals for a more balanced approach to governance and look forward to working with you to return to the core values of the university and to help realize USC's great potential.

### Shared Governance

There are many definitions of "shared governance," but our understanding of the term is rooted in the American Association of University Professors' Statement on Government: "The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process." Faculty governance flows from this fundamental responsibility for academic affairs and for aspects of student life that relate to the educational process. The faculty, through the Faculty Senate (now called Academic Senate) and Faculty Committees, should set policies and procedures regarding faculty status (including appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal), curriculum, admissions, and programs. In other realms of university government, the President and her administration bear primary responsibility, including budgeting, development, facilities, athletics, and many aspects of student life. On these matters, the faculty should have a substantive advisory role. Other constituencies, including students and staff, should also have a meaningful voice in decision making, in an advisory capacity.

#### A) The current USC system

Currently at USC, there is no statement whatsoever in the by-laws regarding the authority or powers of the faculty. The by-laws provide that the faculty shall be organized into committees, appointed by the President and other administrators, to do certain discrete tasks. Furthermore, the by-laws provide that the Academic Senate, "as from time to time elected *or designated by the faculty*, shall be a deliberative and consultative body, *with power to make studies, reports, and recommendations* to the President of the University in any and all matters *pertinent to the well-being of the faculty*." The by-laws do not recognize the faculty's authority over academic matters or student affairs relating to the educational process, but only the faculty's advisory power in matters relating to their own well-being. This is an unfortunate and constricted version of faculty governance at odds with AAUP recommendations.

Furthermore, USC has a confusing web of Senate committees, Provost's committees, and joint Senate-Provost's committees, with unclear and overlapping responsibilities. The perception is

widely held that not only do Senate committee reports and recommendations go largely unheeded but even Provost's committee reports and recommendations will be ignored at the whim of administrators. For instance, following a surreptitious and appalling revision to the "Minors on Campus" policy in summer 2018, a Provost Advisory Committee on Minors on Campus was convened, chaired by Professor Hanna Reisler. The Committee produced a detailed report with several recommendations and submitted the report to Elizabeth Graddy in November 2018. Despite ongoing follow-up from Professor Reisler, the recommendations have gone unheeded, and USC's website currently lists an outdated policy. Several former committee chairs report similar experiences, and the cumulative effect of this disregard for faculty input has been an increase in faculty disengagement and cynicism.

Your support for reform will help renew faculty participation in governance. If USC truly wants to be a top university, that can happen only when the faculty are partners of the administration in setting the academic policies and practices that govern the university.

#### B) The example of the University of North Carolina

At the University of North Carolina, by contrast, the Faculty Code specifies exactly the powers of the faculty:

The General Faculty has power:

- 1) to establish the policies governing the educational activities of, and the award of academic degrees by, the University of North Carolina at Chapel Hill and to promulgate such regulations as are necessary to implement established policies;
- 2) to request information and reports from and to give advice to the chancellor with respect to any matter affecting the life of the University;
- 3) to act upon reports from and to make recommendations to the Faculty Council, faculty committees, colleges, schools, institutes, and other units of the University;
- 4) to discuss and resolve upon matters relating to the life of the University;
- 5) to join with the chancellor and other officers of administration and the student body in regulating student conduct and discipline; and
- 6) to delegate its powers, except the power to establish or amend this Code, to such officers and bodies as may be established herein.

The General Faculty at UNC delegates its legislative authority to a Faculty Council (like our Academic Senate), and to 26 committees, 12 of which are elected, including some of the most important ones, such as the equivalent of our University Committee on Appointments, Promotion, and Tenure (UCAPT). At USC, the lack of faculty-wide elections for committees as well as for the Senate Executive Board contributes to the lack of faculty engagement in governance activities.

#### C) Recommendations for Reform

In order to improve governance at USC and to bring our university into better alignment with peer institutions, we have five recommendations.

*Recommendation 1: Revise Committee Structures and Election Processes*

The President should charge the Senate Task Force on Shared Governance, which has been working on these issues for a year already, to propose amendments to the by-laws and faculty handbook. These changes would include a new, streamlined standing committee structure that places the authority for academic affairs squarely in the faculty, as well as forming advisory committees on important aspects of student life, such as admissions and athletics, where the lack of faculty governance has sorely harmed the university. The Task Force should also propose reforms to faculty elections to make the Senate and its committees more democratic and to engage the full faculty in governance, without sacrificing diversity of representation in all its aspects (schools, rank, status, race, and gender, among others).

Furthermore, we have proposed to the Academic Senate Executive Board, and ask your support for, revisions to the current Senate structure, especially the election of the Senate Executive Board, and also the strengthening of the faculty councils across schools. If the Senate is to take on a much stronger role in faculty governance, it must be, and be seen to be, truly representative of the full faculty, and to involve the faculty in elections.

While our focus is on shared governance, we deem it essential that the Academic Senate provide opportunities for the senate to discuss issues openly and frankly. This means that members of the central administration be present only at the express invitation of the President of the Senate. This is particularly important at meetings of the Executive Board. When the President of the Senate deems it useful to benefit from the consultation and expertise of a member of central administration, a request will be made for the attendance of those administrators.

*Recommendation 2: Proposal for a new body, the University Council.*

This past year the administration and the Academic Senate held a Forum that provided a valuable opportunity for members of the university community to express their concerns. This was seen as a success, and as an experiment that should be continued and even expanded under the incoming administration. We applaud this effort to communicate more effectively but urge that you go further than merely providing a forum for communication among the various communities within the university.

We are proposing the creation of a formal body, the University Council, that would incorporate the benefits of this experiment within a more elaborate structure, modeled on those found at many peer institutions (e.g. Columbia, Cornell, Penn, Princeton, Stanford, among others).

The basic principles of the University Council include the following:

- The Council includes the president, provost and other senior administrators; the leaders of the Academic Senate; the leaders of the undergraduate and graduate student governments; and the leaders of the Staff Assembly. Thus, the Council is able to reflect the interests and concerns of all sectors of the university.

- The Council holds regularly scheduled meetings that are open to all members of the university community.
- The University Council is a deliberative and broadly representative body that exists to consider the activities of the University in all of its phases, with particular attention to the educational objectives of the University and those matters that affect the common interests of faculty, staff, and students. It may recommend general policies and otherwise advise the president, the provost, and other officers of the University. It is authorized to initiate policy proposals as well as to express its judgment on those submitted to it by the administrative officers of the University and its various academic divisions. It is also empowered to request information through appropriate channels from any member of the University administration. Every significant new policy or change to existing policy under consideration by the administration should be discussed by the University Council and the views presented there should be seriously weighed before a final decision as to adoption is made.
- The proposed Council relates to the Academic Senate in several important ways. The faculty representatives on the Council are drawn from the leadership and members of the Academic Senate, and the Senate President is the Chair of the Council Steering Committee.

We are appending a detailed description of our proposed University Council, which can serve as the starting point for consideration and, we hope, will be useful to the group charged with developing and supporting the creation of such a body. This proposal also includes a list of Council Committees, a topic that should be coordinated with the general consideration of the structure of university committees that we are urging.

*Recommendation 3: Faculty representation on the Board of Trustees*

This year for the first time, non-voting faculty representatives on Board of Trustees committee were allowed to speak and interact with Trustee members. This is an excellent first step to better incorporation of faculty voices in Board deliberations. We propose that there also be a non-voting faculty representative on the Board Executive Committee, as well as one voting member on the full Board of Trustees. Faculty representatives on the Board and the committees should be selected by the Academic Senate. Again, these changes better align USC with AAUP recommendations, including those found in the “Faculty Communication with Governing Boards: Best Practices” report.

*Recommendation 4: Review Board of Trustee By-Laws*

We urge a complete review of Policies and By-Laws by the Board, with faculty on the committee.

*Recommendation 5: Increase Oversight of the Athletic Program*

Our Subcommittee on Athletics and Admissions is focused on improving oversight of athletic admissions and on deepening our ethical commitments to our student athletes. Central to this process are several core principles:

- The educational mission of the University must come first, before winning games.

- Our paramount concern is to support and promote the education of student-athletes. Their education should come first.
- Student athletes should have access to the entire educational experience, including the full range of majors and study abroad.
- Faculty must have oversight authority over the admission and education of student-athletes. A reconstituted faculty athletic oversight committee should meet with head coaches and the athletic director, and discuss each team and each athlete from the moment of admission to the moment of graduation.
- Faculty should set academic policy regarding all students, including student-athletes.
- Faculty should participate in setting, and steering a broader discussion of admissions policy, including:
  - The side door – whether there should be a separate route for athletic admissions that turns coaches into admissions officers.
  - The back door – whether we should allow people to “buy” admission to USC through donations.

There must be a faculty-led, transparent investigation of the recent admissions scandal, with accountability to the USC community and the public, so as to rebuild trust in the integrity of our process, including a frank admission of where we went wrong. The changes we propose to athletic policy are not radical but rather re-emphasize each faculty member’s core responsibility: to see that every student admitted has the opportunity to pursue the best education and the “right” education suited to her or his aspirations.

*Recommendation 6: A commitment to transparency*

The greatest casualty of the preceding years of scandal has been a sense not only of corruption and harm to students and faculty, but a sense that the university has not yet come to a full reckoning of the costs and consequences of past actions, including the failure to hold university members, such as Dr. Puliafito, Dr. Tyndall, and Dr. Kelly, to account. Reports that are available to the higher administration should be shared widely across the USC community. While members of the Concerned Faculty understand the need for confidentiality, we are all too aware of the ways that “privacy” and “non-disclosure agreements” have kept the community from understanding and learning from past mistakes and beginning a new era together. A continued series of reports from the President and Provost, including the results of external investigations, and open conversations about both the mistakes and the missed opportunities of the past few years, will help to renew faith in the university’s core values of free inquiry, respect for others, and care for faculty, students and staff.

Conclusion:

The past few years at USC have not been easy ones. We firmly believe that many of the university’s troubles could have been avoided had strong systems for faculty participation been in place. We are encouraged by your commitment to shared governance and look forward to collaborating with you on substantial changes to the university’s structures of governance. We look forward to discussing these proposals with you in greater detail.