



Academic Senate • 1000 E. Victoria • Carson, CA 90747 • WH-A420 • (310) 243-3312

EXEC 18-11

RESOLUTION OPPOSING THE “TENETS OF SYSTEM-LEVEL SHARED GOVERNANCE IN THE CALIFORNIA STATE UNIVERSITY”

M/S/A 10/24/2018

RESOLVED: That the Academic Senate of California State University Dominguez Hills (ASCSUDH) rejects the California State University “Shared Tenets of System-Level Governance in the CSU” (Tenets drafted by the California State University Office of the Chancellor (CO) and the Academic Senate of the California State University Executive Committee during the academic year 2017-18); and be it further,

RESOLVED: That the ASCSUDH calls upon the Academic Senate of the California State University (ASCSU) to reject the “Shared Tenets of System-Level Governance in the CSU” as a well-intentioned but misguided and flawed effort to restore shared governance in the CSU; and be it further,

RESOLVED: That academic programming and curricular development in the CSU remain the purview of the faculty and that proposals to modify existing policies or to create new policies directly related to any educational processes shall be driven by CSU faculty, not external consultants or groups; and be it further,

RESOLVED: That the ASCSUDH calls upon the ASCSU and Chancellor White to reaffirm their commitment to both the 1985 *Collegiality in the California State University System* and the 2001 *Shared Governance Reconsidered: Improving Decision-Making in the California State University*; and be it further,

RESOLVED: That the ASCSUDH calls upon Chancellor White to enact the principles of shared governance as defined by the Higher Education Employer-Employee Relations Act of the State of California (HEERA), the California State University Board of Trustees, and the Academic Senate of the California State University and the American Association of University Professionals (AAUP); and be it further,¹

¹ The California legislature, the CSU Board of Trustees, and the ASCSU outlined clear and simple definitions of shared governance that have been in force for more than three decades. “The Legislature recognizes that joint decision-making and consultation between administration and faculty or academic employees is the long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational mission of such institutions and declares that it is the purpose of this act to both preserve and encourage that process...” The Legislature promotes joint decision-making, robust consultation, and “the full exercise of the functions of the faculty in any shared governance mechanisms or practices,” The California Higher Education Employer-Employee Relations Act (HEERA) Section 3561(b). Further: “Collegiality consists of a shared decision-making process and a set of values which regard the members of the various university constituencies as essential for the success of the academic enterprise,” Report of the Board of Trustees' Ad Hoc Committee on Governance, Collegiality, and Responsibility in the California State University Adopted by the Board of Trustees of the CSU, September 1985. And: “Collegiality consists of a shared decision-making process and a set of attitudes which cause individuals to regard the members of the various constituencies of the university as responsible for the success of the academic enterprise.” From: *Collegiality in the California State University System*. Adopted by the Academic Senate of the CSU, March 1985.

RESOLVED: That the ASCSUDH invites the AAUP's continued monitoring of shared governance practices within the CSU; and be it further,

RESOLVED: That the ASCSUDH express its deep and continuing appreciation for the efforts of the ASCSU in advocating for genuine shared governance in the CSU; and be it further,

RESOLVED: That the ASCSUDH distribute this resolution to

- CSU Chancellor,
- CSU Executive Vice Chancellor and Chief Academic Officer,
- ASCSU Academic Senate Chair,
- CSU Board of Trustees,
- Governor of the State of California,
- Lieutenant Governor of the State of California,
- AAUP,
- AAUP-CA,
- CSU Presidents,
- CSU Senate Chairs,
- CSU Senate Executive Committees,
- CSU Provosts/Vice Presidents of Academic Affairs,
- California Faculty Association (CFA),
- California State Student Association (CSSA),
- CSU Emeritus and Retired Faculty Association and Staff Association (CSU-ERFSA).

RATIONALE:

In September 2017, the ASCSU passed AS-3304-17/FGA/AA/APEP "On the Development and Implementation of Executive Orders 1100 (Revised) and 1110." The resolution noted the major changes in curricular design that would result from the Executive Orders (EOs) and called upon Chancellor Timothy White to immediately put both EOs into abeyance. The resolution also expressed serious concerns about the adequacy of the consultation and the timeline of the EOs implementation. Chancellor White made the decision to leave both EOs in place, including their aggressive timelines for implementation. Subsequently, in November 2017, the ASCSU passed a motion directing its Executive Committee "on behalf of the faculty to meet with CSU leadership to address the current state of faculty/administration relations." A series of six, two-hour, and in-person monthly meetings ensued. The first and last meetings included Chancellor White; all six meetings included the following individuals:

- *Dr. Christine M. Miller, ASCSU Chair*
- *Dr. Catherine Nelson, ASCSU Vice Chair*
- *Dr. Simone Aloisio, ASCSU Secretary*
- *Dr. Thomas Krabacher, ASCSU Member At Large*
- *Dr. Robert Keith Collins, ASCSU Member At Large*
- *Dr. Loren Blanchard, Executive Vice Chancellor*
- *Dr. Christine Mallon, Assistant Vice Chancellor*
- *Dr. James Minor, Assistant Vice Chancellor*
- *Mr. Leo Van Cleve, Assistant Vice Chancellor*

The tenets statement is the result of these meetings and is to be brought to the full ASCSU for its consideration for adoption.

It is laudable that the two parties, after considerable time discussing shared governance came to agreement on the importance of key provisions in the Higher Education Employer-Employee Relations Act of the State of California (HEERA) and commonly accepted practices endorsed by the American Association of University Professionals (AAUP). The ASCSUDH further posits that the tenants are not needed because HEERA clearly establishes collective bargaining for faculty at CSU and in doing so, traditional shared governance practices are not inhibited or undermined: “The Legislature recognizes that joint decision making and consultation between administration and faculty or academic employees is the long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of these institutions, and declares that it is the purpose of this chapter to both preserve and encourage that process. Nothing contained in this chapter shall be construed to restrict, limit, or prohibit the full exercise of the functions of the faculty in any shared governance mechanisms or practices...” <https://www.perb.ca.gov/laws/statutes.aspx#ST3560>

Moreover the tenets grant the Chancellor’s Office the authority to impose policy initiatives with limited or no consultation under vaguely defined emergency circumstances. The ASCSUDH holds that shared governance must be practiced under all circumstances without exception.