

VIA ELECTRONIC MAIL

February 22, 2024

Professor Jim New
President
Nevada Faculty Alliance
840 S. Rancho Drive, Suite 4-571
Las Vegas, Nevada 89106

Dear Professor New:

In your capacity as president of the Nevada Faculty Alliance, you have asked the American Association of University Professors for guidance regarding AAUP principles of shared governance prompted by governance issues that have arisen at the University of Nevada, Reno.

The best-known and most authoritative articulation of the principles and standards of shared academic governance is the enclosed *Statement on Government of Colleges and Universities*, which the AAUP formulated in 1966 in cooperation with the American Council on Education (ACE) and the Association of Governing Boards of Universities and Colleges (AGB). The *Statement on Government* calls for "adequate communication" and "joint planning and effort" by the governing board, administration, and faculty in order to carry out effectively the wide variety of complex tasks that institutions of higher education must perform. Joint planning and effort means that (1) important areas of action involve at one time or another the initiating capacity and decision-making participation of all the institutional components and (2) differences in the weight of each voice, from one point to the next, should be determined by reference to the responsibility of each component for the particular matter at hand." In other words, no decision with major ramifications for the institution should be made without involving the board, administration, and faculty, and the degree of involvement by each group should depend on each group's responsibilities.

The governing board's "primary responsibilities" include "relating the likely needs of the future to predictable resources; ...husbanding the endowment; ...obtaining needed capital and operating funds"; paying "attention to personnel policy in the broadest sense of the term"; insisting on "the development of long-range planning by the administration and faculty"; and "when ignorance or ill will threatens the institution or any part of it," serving as the institution's "champion" while making clear that its protection "is, in fact, a fundamental defense of the vested interests of society in the educational institution." While the governing board is the "final institutional authority," delegating administrative authority to administrative officers and authority over academic matters to the faculty, it should, the statement cautions, practice "appropriate self-limitation" with respect to the administration's and faculty's spheres of responsibility.

The administration, and particularly the president, is primarily responsible for the day-to-day management of the institution; long-range planning; "representing the institution to its many publics"; defining and attaining institutional goals; maintaining effective communication between institutional components, especially between the governing board and the faculty; seeing to it that "the standards and procedures in operational use . . . conform" to board policy and to the "standards of sound academic practice"; maintaining existing institutional resources and creating new resources; and promoting "public understanding" of the institution and its activities. As the statement summarizes, "in these and other areas," the responsibility of the administration is "to plan, to organize, to direct, and to represent."

Under standards of shared governance, the success of a college or university president "is measured largely by his or her capacity for institutional leadership." A president, who "should be equally qualified to serve both as the executive officer of the governing board and as the chief academic officer of the institution and the faculty," must have "an ability to interpret to board and faculty the educational views and concepts of institutional government of the other." For, as the statement notes, "It is incumbent on the president to ensure that faculty views, including dissenting views, are presented to the board in those areas and on those issues where responsibilities are shared. Similarly, the faculty should be informed of the views of the board and the administration on like issues." To be effective in this intermediary role, "the president should have the confidence of the board and the faculty."

The fifth section of the *Statement on Government* outlines the faculty's purview. "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 status" includes "appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal." In these areas, the statement adds, "the power of review or final decision lodged in the governing board or delegated by it to the president should be exercised adversely only in exceptional circumstances and for reasons communicated to the faculty."

The faculty's primary responsibility for these matters derives from "the fact that its judgment is central to general educational policy. Furthermore, scholars in a particular field or activity have the chief competence for judging the work of their colleagues." For these reasons, administrations and governing boards should accept faculty recommendations in these areas of primary responsibility "except in rare instances and for compelling reasons which should be stated in detail."

The chief means by which the faculty exercises its primary responsibility for academic matters is through faculty governance bodies. Thus, "agencies for faculty participation in the government of the college or university should be established at each level where faculty responsibility is present." Critically, "an agency should exist for the presentation

of the views of the whole faculty." At most larger institutions that agency is the faculty senate. All faculty representatives "should be selected by the faculty according to procedures determined by the faculty."

Even in areas where the faculty does not exercise primary responsibility-such as long-range planning, the hiring and evaluation of administrators, and budgeting-sound governance standards require meaningful faculty involvement. The AAUP's *Role of the Faculty in Budgetary and Salary Matters* (enclosed), for example, specifies that under principles set forth in the *Statement on Government*, the faculty should participate both in the preparation of the total institutional budget and ...in decisions relevant to the further apportioning of its specific fiscal divisions (salaries, academic programs, tuition, physical plant and grounds, and so on). The soundness of resulting decisions should be enhanced if ...the faculty participates in deciding on the overall allocation of institutional resources and the proportion to be devoted directly to the academic program." See also the enclosed *Faculty Participation in the Selection, Evaluation, and Retention of Administrators*.

Finally, structures should exist for facilitating communication among the faculty, administration, and governing board. These can include regular communications to all parties by board, administration, and faculty bodies; faculty representation (e.g., a "faculty trustee") on governing boards; a standing liaison committee consisting of board and faculty representatives; and faculty representation on administrative committees. Any structures established to ensure meaningful faculty participation in institutional decision-making, the statement insists, will "be designed, approved, and established by joint action" of the faculty, administration, and governing board.

We hope that this letter addresses your concerns. Please do not hesitate to contact us if you have any additional questions or concerns. We remain interested in the climate for shared governance at the University of Nevada.

Sincerely,

A handwritten signature in cursive script that reads "Anita Levy".

Anita Levy, Ph.D.
Senior Program Officer