

Ohio Faculty Council White Paper: Faculty-Board Relations

Introduction

In the state of Ohio, the Boards of Trustees for public four-year colleges and universities hold significant fiduciary responsibility for the institutions they govern. Specifically, they employ the president to run the university, and approve all budgetary commitments, programs, degrees, administrative rules, and appointments. Ultimately, they enact all things necessary for the creation, proper maintenance, and the successful operation of their institutions.

During the spring of 2021, the Ohio Faculty Council (OFC) surveyed its members to gain a statewide sense of the relations between the faculty and Boards at each institution. One common element is the lack of robust or even, in some cases, substantive, interaction between the Boards of Trustees and faculty. Healthy faculty-Board interactions and engaged communication promote informed decision making that is in the best interests of the educational mission, including innovative and successful experiences for our students.

Currently, however, and especially as institutions of higher education struggle under budgetary concerns and restrictions, some of the actions taken or approved by the Boards of Trustees are being questioned. These actions include the conversion of interim administrators to permanent appointments without faculty consultation, as well as the elimination of tenured faculty positions and academic programs. As a sign of growing tension between faculty and Boards, faculty at two Ohio institutions of higher education adopted formal votes of no confidence in their trustees.¹

Concerns

Our members have observed the frequency at which executive sessions by the Boards of Trustees are used. This seems to run counter to Ohio's Open Meetings Act² which requires all meetings to be open to the public except under specific statutory exemptions. The practice of depending too heavily on executive sessions eliminates the opportunity for engagement with faculty and other constituents, and signals a lack of collegial transparency. Such sessions limit the ability of Boards of Trustees and administrators to hear and consider alternate views.

¹https://www.wright.edu/sites/www.wright.edu/files/page/attachments/ReportOnConfidenceVote_2019_03_25.pdf; <https://ideaexchange.uakron.edu/universityofakronfacultysenate/165/> (Appendix D).

² <https://codes.ohio.gov/ohio-revised-code/section-121.22>

A second concern, as witnessed in our data, is one-way communication in Board decision-making, particularly with regard to budget concerns and leadership decisions and concern regarding a lack of faculty voices on committees and a lack of open public sessions. Our members report a variety of ways in which faculty are provided "guest attendance" status. This may take the form of being included in the "gallery" at Board meetings but without any privilege to speak. Faculty have reported appreciation at the opportunity to address the Board of Trustees or provide a report at some institutions. Not all Boards provide such options, however, and these fall short of collegial two-way communications that could strengthen faculty-board relations. Only a single faculty member among our participating institutions served as voting member on a Board's committee, and none reported regular activities for Board members to speak with faculty.

Our third concern relates to how new Board members are introduced to faculty and to the general expectations and activities of a university Board of Trustees. There is little and often no inclusions of faculty introductions to new Board members and little and often no introduction of Board members to important faculty governance institutions, such as Faculty Senate, Graduate Council, College Councils, or similar shared governance bodies.

Proposed Best Practices

Based on the experiences observed in our member institutions, as well as recommendations from the national Association of Governing Boards of Universities and Colleges (AGB),³ the OFC endorses the discussion and implementation of the following as best practices for our Board of Trustees members and our shared governance bodies:

- (1) **Faculty-supported onboarding of new Board members:** We recognize that Board of Trustees members are active professionals in their own fields, and that some of them have not had sufficient time, prior to being appointed to a university Board of Trustees, to get to know much about our campuses. As part of the university-organized orientation program for new Board members, we call on administrative leadership to regularly invite faculty leaders to meet with Board members to discuss shared governance structures and processes on campus. Ideally, this should be an ongoing process beyond members' first year on the Board and would promote a greater appreciation of our procedures as codified in bylaws, handbooks, and other foundational documents within the university. On a

³ <https://agb.org/>

statewide level, OFC members would welcome a role in statewide programming for Board members, including the Annual Trustees Conference.⁴

- (2) **Meaningful communication:** As one way to foster and sustain meaningful communication channels between Board members and faculty leaders, we recommend that at the beginning of each academic year, Board and faculty governance leadership meet to discuss expectations for engagement and activities throughout the year. By establishing an early expectation of open communication, we believe that consultation, genuine discussion, and more open board meetings would be more likely, and, by association, more productive, ultimately improving the experience of our students. We believe it would be especially helpful to establish a means for university constituents to directly provide the Board with questions and suggestions, and to be able to receive some acknowledgment of feedback.

- (3) **Board presence at faculty governance meetings:** In order to promote deeper understanding of our shared governance activities,⁵ the concerns and solutions endorsed by faculty members, as well as potential collaborations, we suggest that Board members regularly attend select faculty governance meetings, even if only once or twice a year. Just as faculty attendance at and participation in Board sessions increases faculty awareness of opportunities and constraints facing trustees, reciprocal trustee participation in appropriate sessions of shared governance may promote deeper understanding, engagement, and collaboration.

- (4) **Board visibility on campus:** We call on faculty and administrative leaders to invite trustees to campus activities, especially faculty and student research presentations, performances, and other public events that showcase the excellence within our universities. In addition to promoting greater awareness of academic endeavors, this engagement will convey the Board's support of the academic mission to the faculty, administration, and students, and will also demonstrate to the wider community productive working relationships between the Board and the University. Board members, along with faculty, staff, and students, serve as ambassadors to our communities, and it is imperative that they recognize their vital role in promoting the best that we are.

⁴ Since at least 2013, the Ohio Department of Higher Education (formerly known as the Ohio Board of Regents) has hosted an annual program for trustees from Ohio's public universities and community colleges. Programs and materials are archived at <https://www.ohiohighered.org/trustees>.

⁵ We recognize that shared governance is a concept that is not widely employed outside of academia; it is the responsibility of the faculty and administration to help develop this understanding among trustees.

(5) **Informed decision-making:** Given the amount of influence and decision-making that ultimately resides within the Boards of Trustees, it is essential that its members demonstrate significant familiarity of the academic achievements and culture of the universities over which they govern. We believe that each of the recommendations highlighted above would go a long way in establishing some of the norms necessary for a sustainable, healthy future. We also contend that one of the most concrete ways to improve this would be to appoint a faculty member as a non-voting trustee, an option that is being discussed at multiple universities.⁶

It is in all of our best interests that we foster successful professional relationships between the body of faculty and the Boards of Trustees. The benefits of healthy relationships will accrue as well to university leaders, elected representatives charged with overseeing higher education, and, most importantly, our students, promoting better responsiveness to our students' and communities' needs. We, the members of the Ohio Faculty Council, remain committed to improving these essential relationships and we welcome the opportunity to work closely with all relevant constituencies to bring these recommendations into fruition. We believe these suggestions, once implemented, will help elevate the reputations of our university programs, and more importantly, the success of our students.

⁶ In December 2020, the Faculty Assembly at Miami University adopted a resolution that called for the addition of two faculty members as non-voting members of the Board, a change that would require a revision to ORC 339.01 (<https://codes.ohio.gov/orc/3339.01>). This was discussed by the Miami Board of Trustees in February 2021 (see p. 10): <https://miamioh.edu/files/documents/about-miami/president/bot/2021/minutes-02-2021.pdf>. At their Special Meeting in August, 2020, the University of Akron Faculty Senate adopted a motion requesting that Governor DeWine develop a policy to include educators on the Board of Trustees as well. <https://ideaexchange.uakron.edu/universityofakronfacultysenate/165/> (see Appendix C).