

Collegial governance at Ontario universities

Report of the OCUFA
University Governance Committee

February 2019

OCUFA

Ontario Confederation of University Faculty Associations
Union des Associations des Professeurs des Universités de l'Ontario

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The Ontario Confederation of University Faculty Associations has been the provincial voice of university faculty since 1964. OCUFA represents over 17,000 professors and academic librarians in 29 faculty associations across Ontario.

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Introduction

In early 2018, the Ontario Confederation of University Faculty Associations (OCUFA) formed an ad-hoc committee on collegial governance in Ontario universities with an initial mandate to collect data on current governance practices of Ontario universities and articulate a vision for collegial governance. This initiative was taken in response to an increasing level of concern among the OCUFA member associations regarding the ways in which universities are being governed and the erosion of collegial governance at Ontario academic institutions. The committee's research work commenced in the spring of 2018 with the collection of data from every university faculty association in Ontario through the means of a detailed survey on current university governance structures and processes including Senate and Board structures and practices, searches for senior administrators, budgets and finances, and general university governance. The survey received a hundred per cent response rate and yielded both quantitative and narrative results regarding the state of collegial governance in Ontario.

The survey results demonstrated a number of concerns among faculty associations regarding the state of collegial governance in Ontario universities. Some of these concerns, as captured in both the statistical data and the commentary provided by individual faculty associations, include:

- growing prevalence of closed searches for senior administration;
- lack of meaningful consultation with campus community members regarding senior administrative searches;
- growing trend in use of professional hiring and consulting firms to administer search processes;
- lack of accountability and reporting procedures from the internal members of Boards of Governors/Trustees;
- lack of diversity and proper representation on the Boards;
- practices and policies that require internal members to relinquish their union membership to sit on Boards;
- lack of meaningful training and orientation for members on boards and Senates;
- lack of consultation regarding university budgets and finances;

Some of the initial findings of the research are presented below.

General governance structures

The OCUFA governance survey polled Ontario faculty associations about their university's governance structures, including details about the structure and composition of the Boards and Senates.

The survey revealed that the majority of universities polled, operate under a bicameral system of governance, with the exception of the University of Toronto. According to the survey, when asked if their institution provided some kind of organizational/governance chart, the majority (19 out of 26) answered in the affirmative. Of note, those without an organizational chart were smaller-sized institutions, four of which were federated colleges.

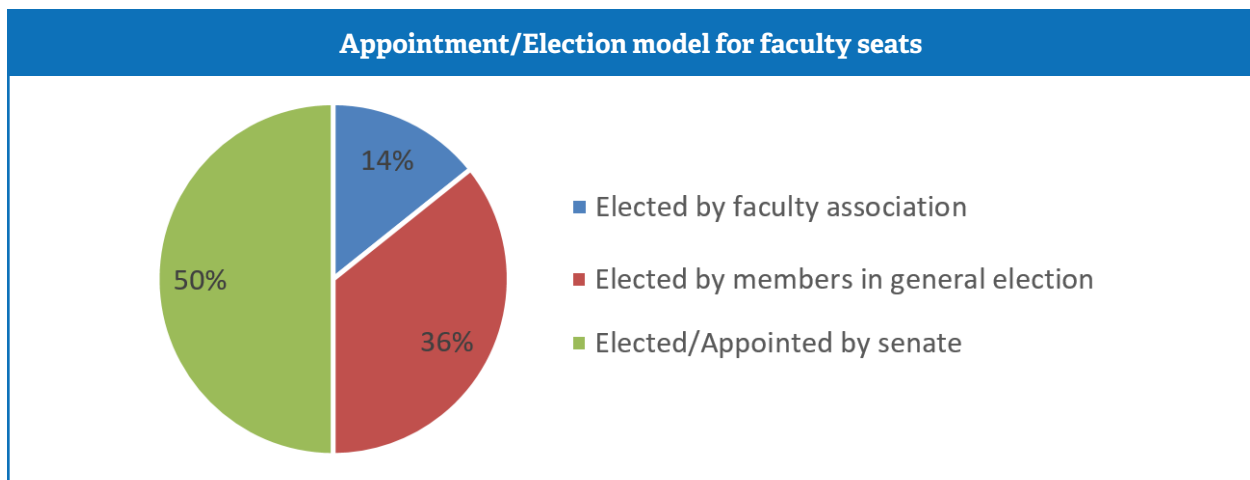
The number of senior administrative positions (President, Provost, Vice-Provost, Vice-Presidents) varied among universities, ranging from 3 (Huron, St. Jerome's) to 23 (Queen's, Waterloo) with an average of 9.6. The data showed that some form of training/orientation for members on the Board is provided at the majority of the universities, but much less so, only 9 out of 25 universities, provided training for Senators. Only two universities indicated the existence of formal Senate caucuses (Windsor, Queens), although the governance committee is aware of a few other institutions that organize informal pre-Senate meetings/caucuses (Brock, Nipissing).

Board structure and composition

The survey results revealed a good deal of information on Board structure and composition. Responses were received regarding questions on key structural features of the Board, including recruitment, membership and Board process and procedure. In addition, major documents such as the University Acts, which establish the general power of governing boards, were collected.

The survey collected information about the role, power and jurisdiction of the Board within the overall system of governance at each university. In all cases, the Board is given standard power over the university's business functions and finances as well as the appointment of the President and other senior administrative staff. Typically, the Board has the final say over the appointment of other employees (including faculty) but this is often exercised at the recommendation of the President.

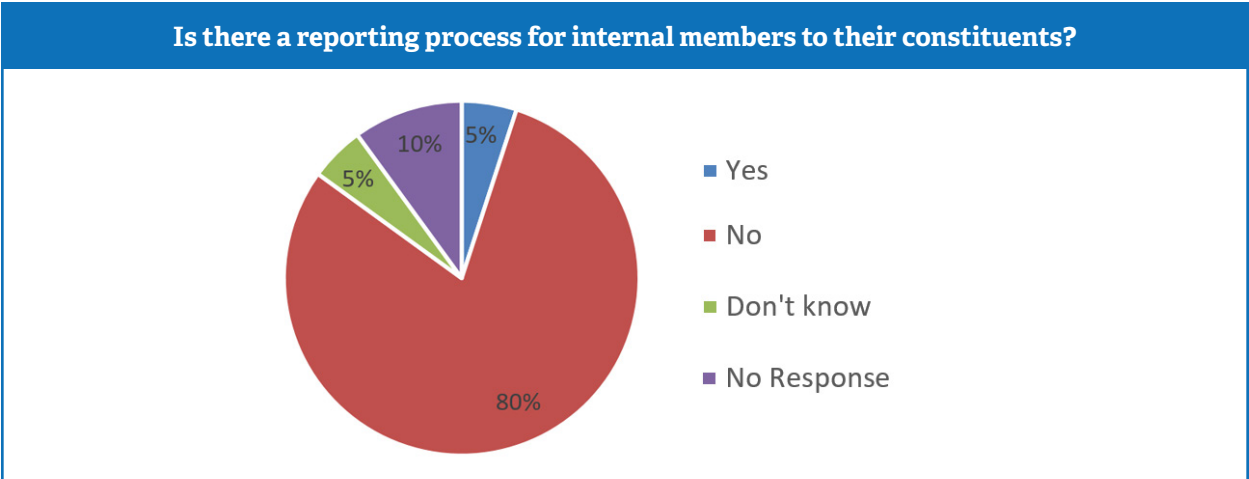
One of the key questions for faculty associations is the role of faculty members on the Board. The survey showed that all university Boards currently have faculty members sitting on the governing board, and all, except for York University, have a required minimum number. Nearly all universities conduct elections of faculty representatives within the university Senate or Academic Council. Approximately two-thirds of institutions' faculty representatives are elected by their peers in a general election. Slightly more than half of institutions employ both methods for selecting faculty representatives. Faculty membership on the Board ranges between two (York) and seven (Waterloo) with an average of 4.3.



Each Board has a mixture of internal and external members. In all cases, a majority of members are external. At many institutions the University Act provides for government appointment of some (though not all) external members, while other Boards have no government appointees. In the majority of cases, where external Board members are appointed by the Board itself, there is no involvement by stakeholder groups, though all members of the Board participate in the election of external members. There are a variety of practices regarding the training of Board members, as well as the practice of recruiting external Board members.

Internal members are often expected to recuse themselves regarding matters related to the labour relations dimension of their employment relationship at the university. This ranges from specific constraints on participating in such decisions and discussions to more fundamental requirements that faculty members relinquish their membership in the faculty association (Queen's, Trent, Windsor and York). Roughly half of the university Boards disallow officers from the faculty association from sitting on the Board. There is some indication that faculty members and other internal members (staff and students for example) are structurally limited in the role they are permitted to play on the Board and its committees. For example, Faculty members can be found on only half of the Executive committees of university Boards, and in many of those cases this is a result of provisions in the Board's by-laws. More research would need to be conducted to accurately discern the degree to which Boards limit the role and participation of internal members as compared to external members.

The OCUFA survey also sought information about the degree of openness and publicity of the Board, as well as accountability of Board members. There are a variety of practices regarding the confidentiality of Board sessions, but nearly all Boards have provisions for both open and closed sessions. Regarding accountability, most surveys have reported that the internal members on the Board are not considered representatives of their constituencies, with some Board by-laws directly stipulating that the internal members should refrain from any constituency report-backs.

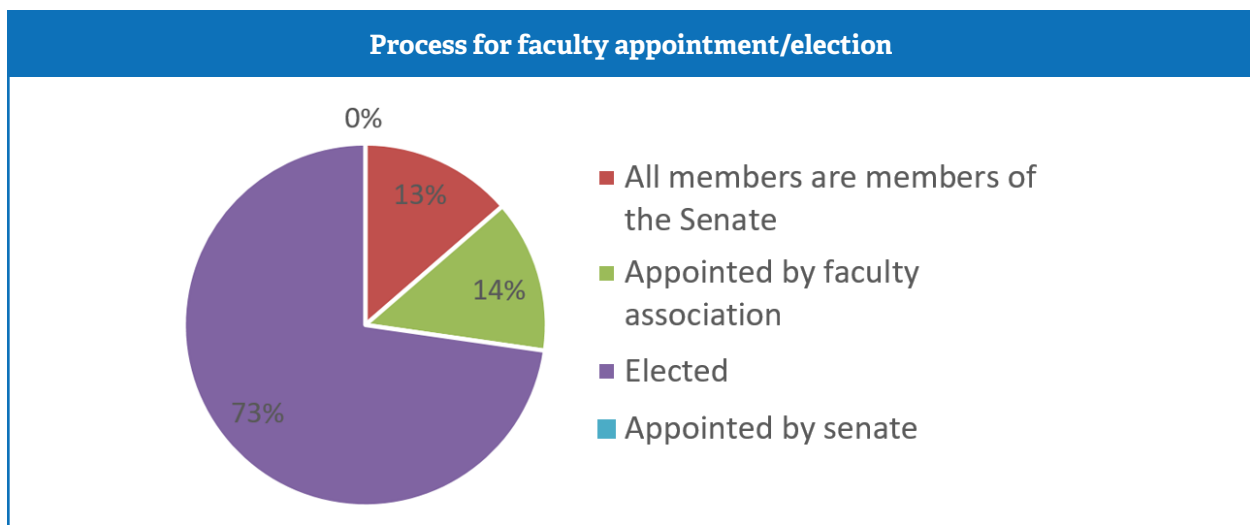


Senate structure and composition

The survey results from the senate structure and composition section revealed the following highlights:

On average, of the Ontario universities polled by OCUFA, university Senates have 78 members, most of whom are voting members. The majority of university Senates in Ontario are elected, representative bodies comprised of faculty, staff, students, Board of Governors representatives and administrators. There are, however, a few exceptions (mainly federated colleges) that follow the committee of the whole model.

Roughly 46 per cent of senators are tenured/tenure-track faculty. Notably missing from most senate memberships are the contract faculty. Given the extreme rise in the reliance by universities on precariously employed contract faculty, it is underwhelming, but not surprising to see the lack of representation in Senate by this majority workforce. The survey showed that only four universities have contract faculty Senators (Carleton, Ryerson, St. Jerome's, and Windsor), with an average of 1.25 representatives. When compared to the average of 78 members on a given university Senate, this number reflects 1.6 per cent of the average Senate membership. If contract faculty are teaching a majority of students and/or courses at a given university, then it seems reasonable that they should have a chance to have a voice in enhancing the university. Senates make important decisions regarding curricula, and university programs among other student-centered issues. Furthermore, the rise in contract faculty numbers means a likely decline or plateauing of tenure-track hiring and thus a shift in overall workload for tenure-track faculty (including service). Thus excluding contract faculty from academic decision making bodies at universities both eliminates the perspectives and experiences of those who are doing a significant amount of teaching at our institutions and increases the workload for tenure-track faculty.



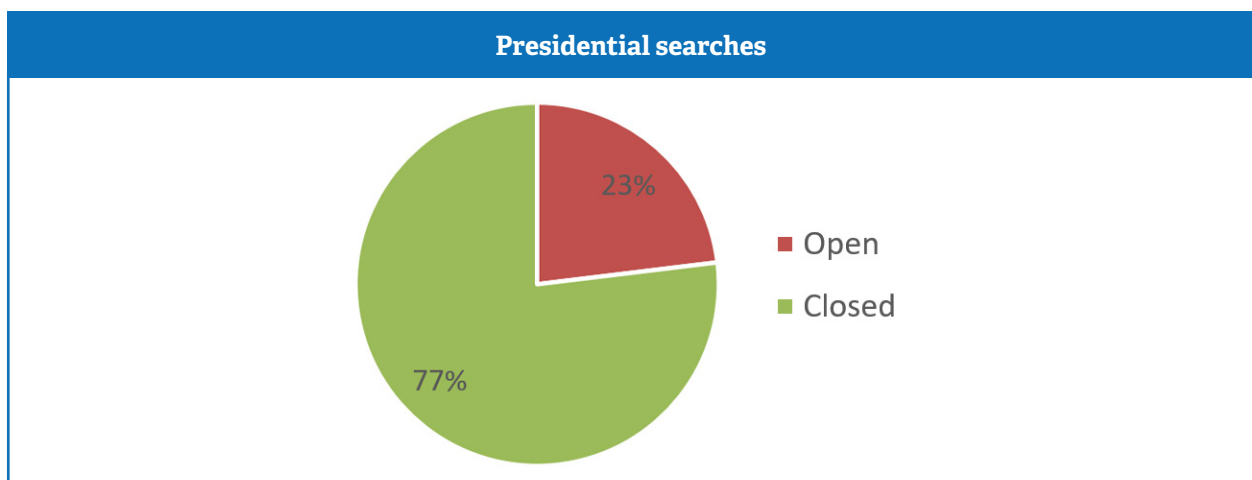
Most Senate members are voting members (on average 85 per cent). Usually, nearly 100 per cent of members are voting members, where often only 1 person is a non-voting member. McMaster is a notable case, with more than a third of its members not having voting privileges.

Faculty, students, and staff members on senate are usually elected by their respective members, with a few faculty associations (Carleton, Trent, York) and staff associations (Guelph, Laurentian, St. Jerome's, York) also appointing their own faculty and staff Senators. Executive Committee members are usually elected, with the noted exceptions of UOIT and WLU. Roughly 80 per cent of the universities polled have the President or an administrator as Chair of Senate. Otherwise, the Chair is elected.

Presidential and other senior administrator searches

The survey also polled faculty associations on the current practices around senior administrator searches and hiring at their institutions. The data collected demonstrated a marked tendency towards closed searches for Presidents and even other senior administrative positions. Although we do not have access to historical records, the narrative evidence suggests that a change to “closed Presidential searches” has been made at many institutions in the past 20 years. Currently, 16 institutions report closed Presidential searches while 6 have some form of community assessment of short listed candidates.

No evidence was cited for the value of closed searches other than an assumption on the part of university administrations and Boards that the closed model would yield a stronger candidate pool. This seems to be an assumption which has been argued by search firms to enhance their relationships with clients and accepted by many university boards. Unfortunately, this argument ignores the negative impact of narrowing the type and quantity of information about candidates that can be obtained in a closed search. As the York University report writes “the common rationale offered is that excellent candidates may be discouraged from participating in an open search. There has never, to our knowledge, been an effort to provide a detailed and evidence-based rationale for closing the searches.”



The data also shows an overwhelming increase in the employment of professional hiring and consulting firms and headhunters to administer search processes for senior administrators. This trend seems to be in line with the growing prevalence of corporate members and the resulting corporate practices on university Boards.

The survey responses also signaled a trend towards having search committees that are “Board majority.” We noted concerns around some of the changes in the structure of search committees which may be designed to or have the consequence of reducing faculty input and influence. Many faculty associations also registered their discontent with the form and level of consultation in senior administration search processes. Often the campus community, including faculty and faculty associations, are only given the opportunity to offer input into the job description and profile of the position and the criteria for hiring at the very initial stage of the search. Following that initial stage, there is no opportunity for feedback or consultation until the hired candidate is introduced.

This tendency towards secrecy both disempowers faculty and creates a culture where transparency of governance is not a priority.

University budgets and financial decision-making

The last section of the survey gathered information about the process of budgeting at Ontario universities and the proportion of budgets that are spent on administrative salaries.

Twenty-two university faculty associations responded to a survey question about the nature of university budget models. The most common budget model (36 per cent of universities) was one in which each division receives its budget from the central administration. Next most frequent was a model in which each division independently draws up and allocates its budget but receives most of its operating revenues from a stream controlled by central administration (27 per cent) and a least common model was one in which each division has independent budgetary authority and responsibility but relies almost exclusively on revenue streams that it generates (23 per cent). This latter model has a variety of labels, including “Responsibility Centered Management” (RCM) and “Activity-Based Budgeting”. Two university faculty associations reported that they did not know what budget model was followed by their institution.

The survey also asked the associations to describe the process of budget approval at their universities in an open-ended question. Almost all budget processes started either with the Finance Department or with senior administrative heads of units and ended with the Board. There was considerable variability in the processes between these points and responses contained varying levels of detail. However, many faculty associations described the involvement of an advisory budget committee and/or Senate, which reviewed budget plans and sometimes received feedback.

University faculty associations were also asked if they are consulted by their administration regarding the institutional budget. The majority (56 per cent) of faculty associations said they are not consulted; only 36 per cent reported that they participate in a consultation process. Two associations did not respond to this question. In qualitative comments, some associations reported that consultations, if they did occur, often happened through meetings of a budget advisory committee, a joint administration-faculty association committee, town hall, or a survey. Some associations described informal consultation processes (e.g., by the Deans) that may or may not occur in a given year. Several faculty associations described a structural opportunity for faculty to provide feedback on the budget process (e.g., through town halls) but questioned whether this feedback had any impact or the consultation process was implemented as proposed.

Finally, we were specifically interested in identifying the percentage of annual budgets that are spent on administrative salaries. However, of the 24 associations who completed this section of the survey, the majority (62 per cent) reported that they did not have this information. Twenty-five per cent of the associations indicated percentages ranging from 3 per cent to 41 per cent of total budget, with an average of 18.4 per cent and standard deviation of 15.2. One association reported that their university spent at least \$16 million on the salaries of their administrators and their assistants. It appears to have been difficult for associations to answer this question, given the lack of accessible information and inconsistencies in how universities categorize and report salary data.

Next steps

We are hoping that our data and institutional comparisons can play a role in addressing many of the controversial issues about university governing bodies and practices, such as the debate about the perceived lack of public accountability and transparency at university Boards and their role in systems of shared (bicameral) governance which some have seen as coming under threat.

Upon conclusion of our research mandate, the OCUFA University Governance Committee will build on the research results to focus on developing a resource document which would outline OCUFA's principles of collegial governance and be used as the basis for an OCUFA policy statement. The committee will also produce an internal "members resource" offering strategies and tools for enhancing collegial governance on university campuses.

The final stage of the committee's work will be the development of a training program for the faculty association members who hold seats at various institutional governing bodies (including Senates and Boards). This work will be done in consultation with faculty associations to ensure that the needs of the members are taken into consideration and the best possible avenues for providing training are identified.