REPORT OF A COMMISSION-MANDATED FOCUSED VISIT

Advancement Section

TO

University of Akron
Akron, OH

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The Higher Learning Commission

A Commission of the North Central Association of Colleges and Schools

EVALUATION TEAM

Dr. Elaine M. Klein, Assistant Dean and Director, Academic Planning, Program Review and Assessment, College of Letters and Science, University of Wisconsin-Madison, Madison, WI 53706 (Team Chair)

Dr. Kenneth Ruit, Associate Professor and Vice Chairman of Anatomy and Cell Biology, University of North Dakota, Grand Forks, ND 58202

ADVANCEMENT SECTION

CONSULTATION OF TEAM

A. Observations of Team Regarding Area(s) of Focus

- At the time of the focused visit, the team found that the University of Akron is still in an era of transition, with various stakeholders in the realm of institutional governance still adjusting to the relatively new features associated with developing and operating under a faculty collective bargaining agreement. This condition was understandable, in light of the competing stories relayed to the team that conveyed a history of discord that can be characterized – at best - as one colored by poor communication and lack of trust. Fortunately, most members of the institutional community with whom the team met expressed value for improving communication, increasing transparency, and enhancing consultation on issues of substance; so, too, did most express the hope that trust could grow. In many respects, the team found reason to share this hope.

  To that end, it seems important to share a few observations which seemed clear to the team: First, the transition to the new environment for shared decision-making is still in progress, and in this phase, seems still to be colored by all-too-recent memories of profound differences of opinion and prior conflicts. We do not judge the merits of these claims, nor do we focus on any particular issue raised; however, we consider it worth noting that a variety of issues remain unresolved and questions about "who does/decides what" seem to be unclear to individuals outside of the administration. These features seem, to us, to reflect the fact that the involved parties are still working to figure out how faculty collective bargaining fits in to this particular institution, with its unique history and its particular constellation of organizational units.[1]

  Second, it may be, too, that there exists still some confusion and concern about the extent to which "the past" has, in fact, passed, and these concerns seem to affect the level of trust various constituencies have for those who might otherwise be considered colleagues.

  Although it will seem to be a naïve recommendation to offer, we believe members of this institution would do well to work together to understand and heal the wounds of the past, to identify those things that caused them (the better to prevent recurrence), and to create a foundation for

[1] We note that the AAUP framework for academic unions is not that the presence of a union replaces other shared governance mechanisms, but that it is a further development in the continuing evolution of shared governance, such that "the union thus becomes an integral part of modern shared governance" ("Academic Freedom and Shared Governance", AAUP, at http://www.aaup.org/AAUP/protect/bargaining/aaup-unionism.htm). Our remarks assume that achieving this integration is itself a process, as the institution's existing traditions adapt to the mechanism of faculty unionism.

moving forward with a shared purpose. We believe that the various constituencies of this institution – regardless of the past record – must engage in this work, because we believe no university today can face what promises to be a very challenging future for higher education, if it is overly-focused on the past.

Our discussions with all of the various groups give us confidence that the University of Akron has the capacity to undertake this work, and that its members (whether they know it or not) share a commitment to the university and its mission, and that they all hope to help it achieve a successful future. We, in turn, hope they can be motivated by these shared values to achieve that successful future – even if doing means working to understand, to address, and finally, to set aside the troubled past.

- The issue of "trust" arose spontaneously in nearly every discussion held during the visit, as did "communication". These issues are interrelated. Effective communication is that in which all participants in the interaction work to share information, confirm that messages are received and understood, that questions raised are acknowledged and if possible, addressed. Such efforts to engage in dialogue support and sustain an atmosphere in which trust can thrive even when opinions differ. These qualities of effective communication foster engagement in conversations on important topics and produce consensus as well as respectful differences of opinion; they are essential to any system (whether "shared governance" or "shared leadership") of collective institutional decision-making. It is important to note that such systems do not presuppose a leveling of authority, in which all votes and all levels of decision-making are equal, but rather, that each constituent group can bring its own expertise, concerns, questions, and ideas to the discussion. Decision-making is enriched and improved by the information shared in the process of communication and consultation. The university administration has made great efforts to improve communication with constituent groups and to broaden the range of groups from which consultation is sought. We found constituent groups to be open to the idea of improved communication, and hope that they will be responsive to efforts to engage in dialogue, so their expertise and leadership can inform and guide the university toward even greater success.

- The University of Akron's administration responded to the call for increased attention to institutional governance by creating committees that include a variety of campus constituencies. The team met with many groups and individuals who observed that these efforts are regarded as generally effective and appropriate, if only as an interim solution to the need for consultation on particular issues. As a long-term strategy, however, a persistent reliance on *ad hoc* committees, with membership appointed by the administration (albeit in certain cases in consultation with constituency groups) rather than elected by peers, was recognized by various groups as an unwelcome development.

Despite this criticism – with which this team is inclined to sympathize – these efforts demonstrate that the administration places high value on inclusive decision-making strategies. And, given that one of the committees has focused on creating a new "University Council" that would create a mechanism for ongoing consultation with a wide variety of constituencies, and that the concept of such a council seems to be widely regarded as a positive development, the team feels assured that inclusive decision-making strategies not only have a role to play at the University of Akron, but that they are, in fact, welcome.

B. Consultations of Team

- The team's consultations begin with a practical matter, regarding the progress report that has been requested.

  - First, as indicated in the "Assurance" section, the report has been requested because the institution has made some progress with respect to resolving the uncertainty that characterized shared governance at the time of the last visit, but it has not yet secured that progress in the form of stable and ongoing institutional processes and structures that support shared governance. Progress alone does not provide sufficient assurance that the uncertainties alluded to at the time of the last comprehensive visit had been resolved. Noteworthy is the fact that those uncertainties, were not described in specific terms in the last report. While we strongly suspect that conditions have improved, we cannot state clearly that this is the case. That said, we have every hope that processes and structures supporting shared governance – or, shared leadership - at UA will soon be developed, but the team can not certify that this will, in fact, happen. Thus, the progress report should address the extent to which stable and ongoing institutional shared decision-making processes/structures that enable to institution to address issues of significance (including planning for the future) have been developed and implemented.

  - Second, the report of the last site visit identified shared governance in the context of Criteria Two and Five; as noted in the response UA prepared for the focused visit, the criteria for accreditation have since been revised, and the topic is more appropriate to Criterion One: Mission and Integrity ("The organization operates with integrity to ensure the fulfillment of its mission through structures and processes that involve the board, administration, faculty, staff, and students.") We note that Core Component 1d specifically takes governance as its focus, stating that evidence provided in support of this component will indicate that "The organization's governance and administrative structures promote effective leadership and support collaborative processes that enable the organization to fulfill its mission." The requested progress report should be written to address this criterion and core component, with an eye toward preparation of materials for the next comprehensive visit.

- Despite specific disagreements and the challenges of adjusting to the new environment of faculty collective bargaining, the faculty and administration must move forward to define a *shared* understanding of "shared governance". It is important to remember that the foundation of shared governance is the commitment to shared values, and the team is hopeful that the institution's members can remember and recommit to those shared values, and in so doing, rebuild the trust required to develop processes that sustain that essential commitment. The identification of "governance" with "leadership" is a useful reminder of the purpose of shared institutional decision-making: we hope that better decisions are made in consultation with those people and groups who are stakeholders in the decisions to be made and the process affected.

- The next AAUP contract is due to begin in December 2009. The last contract was developed after a series of lengthy negotiations – circumstances over which no participant in the process with whom the team spoke waxed nostalgic. Although we are not expert in this arena, it may be useful to offer a few observations gleaned from our discussions:

    - Given the length of time taken to arrive at the last contract, negotiations for the next might begin sooner, rather than later (e.g., December 2008), the better to complete negotiations in a timely way and to prepare for implementation. Both negotiating teams might even now be making preparations, and a plan for undertaking discussions could be established soon. Given that both sides are now more experienced in both faculty contract negotiation and implementation, we hope that negotiation of the new contract will take significantly less time than the 26 months taken to negotiate the first contract.

    - To expedite negotiations, it may be useful to ensure that members of negotiating teams are experienced in the academic environment, familiar with the university, and – perhaps most importantly – empowered as decision-makers to represent their respective constituencies in drafting the content and substance of the next contract. This is especially important for the team chosen to represent the UA administration. While legal and administrative representation on the team is essential, it is no less important that the academic interests of the institution are sufficiently represented by both sides. (We note, again, that all parties at this table should be united by a shared commitment to the core institutional mission; even in these negotiations, that mission should play a central role.) Inclusion of the Provost (and other "faculty/administrators") on the team chosen to represent the UA administration, as in the negotiation for the first contract, is commendable; in addition, the administration might consider including representation from among Deans and department chairs. These individuals, who are not represented by the contract, can nonetheless provide the administration's legal team with practical insights into issues that have a direct impact on the academic mission of the institution.

- The team's discussions with various groups revealed that many individuals concede that the current contract has both merits and flaws, and that having had the experience of negotiating a contract and later abiding by it, most of the people involved would "do things differently." In the interest of helping these parties generally to identify common ground, we would encourage the UA administration and the AAUP negotiating teams to work together to see if they can arrive at a consensus regarding the flaws and merits of the current contract, and from that point, work together to develop a better one.

We understand that negotiation of a contract is inherently adversarial; however, under the best of circumstances, the adversaries recognize that they share a commitment to a process that is best served by trust and civility.

- Critical elements of the stability and sustainability of processes and structures for shared governance are leadership itself, and the ongoing development of individuals who contribute to shared institutional leadership. The leadership required is not only that exercised by the senior administration, but also, importantly, by faculty, staff, and students whose gifts and talents are in many ways already transforming the leadership culture at UA. Clear examples of leadership emergence from among a broader profile of members of the UA community is already taking place, and the institution should continue to pay close attention to how its future leaders are being developed (both formally and informally), as well as to the climate that contributes to their development.

  It was clear to the focused visit team that institutional memory, especially for perceived negatives and historical challenges to the university, remains very clear and is almost too easily recalled and recounted. Clearly, the university is still journeying through an extended maturation process in its transition to a collective bargaining institution. Discord and confusion currently linger in this maturation process and care must be taken to ensure that tensions do not spill over into other arenas, such as the classroom or departmental office, where tensions affect the overall institutional climate and hinder the institution's ability to move forward. The challenge to the university now is to grasp the opportunity that lies before it in a manner that successfully shifts focus from the past to highlight the essential features of what it will mean to realistically and collaboratively prepare for the future. Many people with whom the team met articulated the need to focus on and respond to future needs; in doing so, they expressed a collective commitment that could be shared more widely.

  The team was concerned to hear faculty from across university colleges who spoke of significant (and growing) numbers of their colleagues who have declined opportunities to provide service to the institution – essentially disengaging from the very processes and structures that undergird the shared governance values of the university. Yet, faculty remain at UA, some spending their entire academic careers here, because they are committed to what the institution means to the community.

Building on that commitment is key. Investments in a new generation of developed and empowered leaders from among the university's remarkably accomplished faculty, staff, and students are investments for the future. As Dr. Linda Hill points out in her publication *Leadership Development: A Strategic Imperative for Higher Education* (2005)

> Rarely do [academics] see themselves as change agents. Instead, unless they are in the very senior management of their institution, they are more likely to see themselves as targets of change, implementing the change initiatives of their superiors. Since organizations today must continually revitalize and transform themselves to sustain success, there are simply too many change initiatives required at any given time to leave change management to top and senior managers. Even those in junior leadership positions must be effective change agents who understand how to overcome resistance to change, deal with the inevitable stresses associated with change, and implement appropriate change strategies....Only those organizations that are quite deliberate in identifying and investing in the next generation of leadership talent will be able to achieve and sustain success.

Exercising leadership and developing leadership skills in others means effectively casting a vision that motivates others to follow, transparently demonstrating that motives are pure, and communicating effectively, *i.e.*, making a commitment to listen to and respect (even if not agreeing) the other perspective, engaging the intended audience, soliciting responses, and adjusting the message and action as a result. "Communication" is a dynamic interchange, not a passive posting of information with an expectation that, having "put it out there", the message has been read, understood, and agreed to. All participants in dialogue must work to make communication effective, just as those who seek to be trusted must be trustworthy, and must themselves trust others.

In conclusion, for UA, demonstrating progress in shared governance/leadership will mean moving past existing tensions, forgiving past offenses, resolving differences, and demonstrating a commitment to collaborative leadership that will enable the university to fulfill its mission and achieve a more productive and positive future for itself and its constituencies. We note that the university is facing a period of rapid change, as the Ohio legislature contemplates creation of a new University System of Ohio. Creation of such a system may render it even more important for UA to stabilize and secure its internal processes for ensuring shared leadership, for such processes lend much to the identity and climate of an institution. Given this institution's long history of successfully responding to – and indeed, embracing – change, we have every reason to hope that this transformation will also be accomplished.