

2/22/2022

To: Chair Dembrow
Vice Chair Thomsen
Members of the Senate education committee

Subject: Feedback on Governance Review of Oregon's Public Universities report

Our 17,000 members include the organized faculty at Eastern Oregon University, Western Oregon University, Portland State University, University of Oregon, and Oregon State University, as well as thousands of organized graduate workers at the latter three institutions. I am also a proud alumnus, twice, of Oregon State University.

Our leaderships were eager to read the report, and all participated in the process. We all want to thank the Higher Education Coordinating Commission and Senate Education Committee for commissioning this report, and AGB for their consultation to provide this report. This document represents forward momentum and progress in our shared efforts to make Oregon public education the best it can be.

We have been hearing more each year from faculty and graduate workers that changes need to happen, and this document recognizes that as well.

There are good observations and keen recommendations that we all were glad to see:

- Boards are still relatively new in institutional time, and can be considered still developing, and further that there is a need for more training and education for board members on their duties and responsibilities
- Boards need to do more outreach, engagement, listening, and debate with the public whom they are accountable to, namely faculty, students, staff, and members of their university community
- Board committees have been underutilized, and recommendations for a non-partisan "trustee screening committee"
- Boards should have regular assessments
- That clarifications need to occur on several discrepancies, such as what kind of staff are to be on the board, i.e., classified staff or otherwise, as well as a continued need for more diverse and representative board composition

There are items in the report that can be built upon, and we are excited to collaborate. Boards are public bodies, accountable to the public, and help govern our public education institutions.

It is in our shared interest that we consider actionable next steps. Such as:

- Many recommendations cite cultural changes or discussions that need to happen. We appreciate this intent, and hope these can be moved forward towards *positive structural and legislative changes*. Culture is hard to measure, and suggestions are not enforceable. Our members are appreciative, for example, of some positive changes that have happened the past year as outlined in Sen. Frederick's letter signed by institutions and their boards. However, these voluntary changes were not implemented the same across institutions, nor were all the changes made at every institution. Legislative solutions towards structural fixes would help to prefigure these culture shifts
- The [American Federation of Teachers](#) alongside the [American Association of University Professors](#) has both statewide and nationally over 60+ years of expertise in researching and implementing best practices on shared governance. Discussion of shared governance models in this report does not fully recognize this insight and expertise. Additionally, the report references unions and collective bargaining as a "third party" of sorts, and we wish to state in the affirmative that our unions *are* the faculty, faculty *are* the unions, and that organized professors and graduate workers deserve a real seat at the decision-making table of public institutions, including on the shared public impact of collective bargaining. In [AAUP's 1988 report "Statement on Academic Government for Institutions Engaged in Collective Bargaining"](#), the authors stated:

"Faculty, administrations, governing boards, and state and federal agencies should cooperate to see that collective bargaining is conducted in good faith. When legislatures, judicial authorities, boards, administrations, or faculty act on the mistaken assumption that collective bargaining is incompatible with collegial governance, they do a grave disservice to the very institutions they seek to serve."
- On this point, the report acknowledged that Boards approve collective bargaining agreements, but characterized delegating this authority to the president, and having the president delegate it to an administrator, as a best practice. This practice is common at our universities and is used to diffuse accountability during negotiations: The administrator is the university's exclusive representative for bargaining but can credibly claim that they do not have authority to accept or reject certain economic proposals, because the authority to do so ultimately rests with the president and the board. The president can point out that the administrator has been delegated authority, and credibly claim not to be able to comment on the same proposals. Similarly, the board can cite their delegation to

the president, and credibly claim to not be able to comment on proposals. This diffusion of responsibility hampers collective bargaining as a tool of shared governance, much like limiting direct communication between unions and the board limits our broad participation in shared governance. If we want collective bargaining to function properly as a tool of shared governance, we need to prevent this shifting and shuffling of roles and diffusion of decision making.

- There should be more staff, faculty, students, and community members in the decision-making body. Many members are interested in pathways towards democratic elections or nominations for trustees, like zone elections for Board of Directors at community colleges in Oregon, such as Portland Community College.
- AFT still believes strongly that Board Secretaries need to report directly to the board and not serve as members of the University administration. This would help ensure the Boards operate more in service of the public and all stakeholders.

Legislative fixes which implement strong shared governance research and best practices in collaboration with the American Federation of Teachers and American Association of University Professors is something we are all excited to work on. Together, we can ensure Oregon's public universities are agile, responsive, and accountable to meet the public's needs.

Shared governance is a structural consideration, more than a cultural consideration. There must be more than feedback and listening sessions.

Thank you again to the Senate Education Committee, Higher Education Coordinating Committee, and AGB for your efforts putting together this report. We look forward to the next steps and continued conversations.



Andrea Haverkamp *on behalf of the*
American Federation of Teachers - Oregon

