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**EXECUTIVE SUMMARY**

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**Executive Summary of Study of Governance Practices at Brandeis and Eight Peer Institutions: Brown, Dartmouth, Lehigh, Rice, Tufts, Tulane, Wake Forest and Washington University**

The goal of this study was to inform the Brandeis Task Force on Faculty Governance about governance practices at Brandeis' peer institutions. Each institution has maintained a healthy focus on undergraduate education even as five of them, like Brandeis, are identified in the Carnegie Classification as Research I Universities and three of them as Research 2 Universities. All also have a level of complexity comparable to that at Brandeis.

Most of the information in this document comes each institution's website, their board bylaws (when available) and their faculty handbooks.

**KEY FINDINGS**

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**I. BOARD BYLAWS AND FACULTY HANDBOOKS**

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Often the language in an institution's bylaws and the language in its faculty handbook are not only different but on occasion in conflict. In such cases, because boards of trustees have ultimate fiduciary responsibility for their institution, institutional bylaws take legal precedence over handbooks.

Brandeis is unusual in that the primary difference between the Brandeis *Board Bylaws* and the Brandeis' *Faculty Handbook* is that the *Handbook* is often silent about the role, responsibilities and authority of the President whereas the *Bylaws* lay out these matters explicitly. For example, the *Bylaws*, for example, state that the President "is the Chief Executive Officer of the University, charged with the responsibility for all academic, administrative, financial, and other activities and with the execution of all policies established by the Board of Trustees."<sup>i</sup> The *Bylaws* further state, "The Provost, those Vice Presidents reporting directly to the President, the General Counsel, and members of the Faculty within the tenure structure are appointed or promoted by the Board of Trustees upon the recommendation of the President of the University."<sup>ii</sup> The *Faculty Handbook* after noting that the Board has "ultimate authority and responsibility for the University," suggests that the Board has delegated to the President a less expansive role than does the

Bylaws, i.e. “responsibility for formulating academic and administrative policy within guidelines established by the Board.” The *Handbook* further states, “the Board and the President have jointly delegated to the Faculty responsibility for all academic policies and practice.”<sup>iii</sup>

A discussion of specific disparities in terms of the authority of the President can be found in the full study in section III in terms of appointing Deans, in section VI about the President’s role in tenure and promotion decisions and section and in section VIII about the President’s role in terms of the annual budget.

## **II. THE AUTHORITY OF THE BOARD**

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Although the details differ, without exception all the Boards—working in partnership with the President-- have ultimate responsibility for mission, fiscal stability, institutional policies and strategy. In other words, they are entrusted with the health and integrity of their institution, financial and educational. Boards also consistently routinely delegate authority for the operation of the institution to the President who in turn delegates primary but more often than not ultimate responsibility for various aspects of the University to other members of the administration and to the faculty.

## **III. THE ROLE OF THE PRESIDENT/CHANCELLOR**

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As noted above, Boards commonly and explicitly delegate responsibility to the President for the administration/operation of the university. Typically, Presidents serve as *ex officio* members of their Board and Board committees (sometimes with the exception of the Audit/Risk Committee), sometimes with vote and sometimes with voice but not vote. Presidents also typically attend all Board and committee meetings except when the trustees go into executive session, usually to discuss presidential performance and compensation.

Brandeis is unusual in that the process described in the *Faculty Handbook* about the appointment of deans is in conflict with the authority given the President by the *Bylaws*. In six of Brandeis’ peer institutions, institutional documents are explicit that the President has full authority to appoint vice presidents and deans, in some cases, but not all, subject to the Board’s approval. In the other two institutions, that authority, while not explicitly described, is nevertheless clear.

## **IV. THE FACULTY AND THE BOARD**

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**Brandeis** is unusual in its number of faculty representatives to the Board (four) plus a faculty member (Chair of the Faculty Senate) who serves as a non-voting *ex officio* member of the Board. Additionally, the Board Chair appoints one of the faculty representatives to

serve as a non-voting member on the Coordinating Committee (Note: The Coordination Committee at Brandeis performs many of the functions of the more standard Executive Committee). The *Board Bylaws* are explicit in delineating the role and responsibilities of the faculty representatives in terms of Board service: “Faculty representatives are not Trustees and do not vote on matters before the Board of Trustees or its Committees. Faculty representatives participate on the Board of Trustees in order to help inform its members about issues, but not to make decisions. Faculty representatives and the Faculty Senate Chair will be assigned to Committees as determined by the Chair of the Board of Trustees.”<sup>iv</sup>

Brandeis is also unusual in that in addition to tenure-track and tenured faculty, multi-year contract faculty are eligible to serve in these roles on the Board.

Tulane and Washington University are the only other institutions in this study to have faculty members serve on their board. At Tulane, the three faculty representatives are considered “Invited Guests” and only attend the opening 90-minute session of three of the four annual Board meetings. Along with other “Invited Guests” (two students, two alumni and vice presidents who do not sit on the President’s Cabinet), they sit in a special guest section. Some of them are also non-voting members of some Board committees. They are not invited to meetings of the Executive Committee and are from time to time included in social events. The Chair of the Faculty Senate at Washington University serves as a non-voting faculty representative to the Board as do two undergraduates and two graduate students. Brown, Dartmouth, Lehigh, Rice and Wake Forest have no faculty members serving either as representatives to the Board or *ex officio* Board members. Wake Forest does, however, have a student representative and two young alumni on the Board.

## **V. THE ROLE OF THE FACULTY**

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Typically, either the Board or the President or both jointly delegate primary responsibility to the faculty for the curriculum, academic standards, faculty hiring and other academic matters. The faculty always has a significant role in terms of tenure and promotion. In some instances, faculty members play a formal role in developing the institutional budget. In some institutions, the faculty has shared responsibility for other matters related to the education of students, such as student life. However, in all these instances, the faculty makes recommendations to the administration, typically first to the chief academic officer who then recommends to the President. For some decisions and in some institutions, the President makes the final decision. For matters of institutional significance, ultimate responsibility always resides with the Board.

## **VI. TENURE AND PROMOTION**

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Tenure and promotion is an area where there is a good deal of consistency across institutions in terms of the overall criteria, i.e. teaching, research/scholarship and service. However, these criteria are defined and implemented in practice in ways that are idiosyncratic to the institution. The process is also fairly consistent in that normally the faculty's recommendations on tenure and promotion go to the chief academic officer who in turn recommends to the President who makes his or her independent recommendation to the Board. Tufts and Tulane are exceptions in that the Provost makes recommendations directly to the Board. At Brown, it appears that the Provost makes the decision except in cases of an appeal where the President makes the final decision. The role of the Brandeis President in making a recommendation about tenure and promotion is explicit in *the Bylaws* but is less clear in the *Faculty Handbook*. (See the full study for a more detailed discussion of this matter.)

## VII. PRESIDING OFFICER AT FACULTY MEETINGS

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In five institutions (Brown, Dartmouth, Tulane, Wake Forest and Washington University), the President (or Chancellor) presides over faculty meetings. In three institutions (Brandeis, Lehigh and Rice) the Chair of the Faculty Senate or some other faculty body presides. Tufts is moving to a Faculty Senate model, and it is unclear who will preside over faculty meetings once that occurs.

## VIII. BUDGET PROCESS

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There is no consistency across institutions about the budget process. The process is generally chaired either by the chief financial officer or the chief academic officer and in some instances by both. The role of the faculty in shaping the budget varies widely. Commonly, the budget committee recommends to the President who in turn recommends to the Board. Here too the Brandeis *Bylaws* are clear about the President's responsibility for recommending the institutional budget to the Board of Trustees. The *Faculty Handbook*, however, is silent about the President's role in terms of the budget. (The full study provides more detail about this matter as well.)

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<sup>i</sup> Brandeis *Board Bylaws*, II.A.1

<sup>ii</sup> Brandeis *Board Bylaws*, IX. A. 2.

<sup>iii</sup> Brandeis *Faculty Handbook*, I.

<sup>iv</sup> *Board Bylaws*, X.1.