

Shared Governance—Frequently Asked Questions

Q: Isn't what happened in spring 2019 a failure of shared governance, so we need a whole new system?

A: The very unusual situation that happened and led to new leadership has been interpreted by some as a problem with Otis' system of shared governance. The Task Force on Shared Governance (TFSG) found that a lot of this had to do with how information was communicated at the time (or perhaps, *not* communicated—see more, below). The TFSG also identified ways that the current system could be better aligned, bolstered, and more widely shared so that all can better understand how it works. Overall, Otis' system of shared governance was not the cause of the events in Spring '19; while the situation occurred within a system, the system itself had little to do with why, or how, it occurred.

Q: If the three main branches of governance are academic, management, and fiduciary, what about staff? And students?

A: In higher education, *academic governance* is mostly focused on teaching and learning, so academic/faculty/department input is very important to the success of any school. The management and fiduciary branches (Administration-- Senior Team, Provost and President, and Board) rely heavily on the know-how of the Academic branch. But staff and students are also a part of the process of shared governance and decision-making. This comes in the form of Standing Staff and Student conferral groups—such as our Students' Union, Alumni Council, Diversity, Equity & Inclusion (DEI) Council, Environmental Steering Committee, Staff Council, President's Council, International Partnerships Committee, and less obvious but just as important consultation, whenever possible, with staff and student representatives about big decisions that affect the college at large.

Q: Why can't other groups have a seat at the table, and vote on matters along with trustees, management/leadership, or Academic Assembly? Isn't it everyone's College, not just the trustees', management's, and Academic Assembly's?

A: Many small and large decisions are made each day within an institution. For a complex organization such as Otis to stay organized and make sound, well-informed institutional decisions, more decision-makers aren't what's needed. In fact, too many can create inefficiency and lead to indecision. Instead, some, through their various roles on campus, have responsibilities that include decision-making authority. Otis, like most well-managed institutions, ensures open searches and thoughtful appointments when assigning decision-making authority to certain positions. The point is less to make everyone into a joint decision-maker than it is to make sure that decisions are properly informed by multiple perspectives, expert inputs, and synthesis toward agreeable

options. When decisions are deeply informed and well-communicated (as to their basis), they can help the College move forward.

Q: The school is for student learning and success, paid for by student tuition dollars. Why doesn't the school listen more to students and share more about the finances, expenses, and salaries? It's students' money—don't they have a right to know how it's being spent?

A: In a California not-for-profit entity such as Otis College, the mission and by-laws legally frame specific authority within the Board (fiduciary oversight), and to institutional management (the Chief Executive Officer and Division Heads). Beyond those, others are not privy to details about institutional finance. Further, in order for students to receive federal and state tuition assistance and grants, transfer credits, etc. the college's accreditation status requires that the college maintain operational integrity and sound business practices. Students pay tuition in exchange for the expertise of the college and its professional faculty to create quality educational programming leading to a degree. How the College uses those funds to deliver that programming, to facilitate it, and to secure faculty and staff to inspire and inform it, is the work of those responsible for and with the specific authority to manage finance and institutional funds. [Student input](#) is sought widely at Otis, as indicated on the central web repository site, and provides vital insight into how the student body can best be served.

Q: If the Board is able suddenly to change a President with no discussion on campus, why can't faculty be on that Board to be sure it knows what the faculty think?

A: Faculty is represented on the Board by a non-voting member from the Academic Assembly/Faculty Senate, and there are faculty representatives on some Board Committees, as well. By necessity, and by law, the Board cannot include as a voting member anyone with direct affiliation to the school; to do so would constitute conflict of interest. Trustees also meet specific, ongoing financial support obligations, providing funds for the school's use and discretionary management. Non-voting Faculty Representatives from the Academic Assembly/Faculty Senate inform the Board and its Committees from a Faculty perspective, and report back on Board activity to the Academic branch as part of shared governance. As for voting rights, even the President does not vote on the Board—only otherwise unaffiliated Trustees do.

Q: What, exactly, is a *Fiduciary* body?

A: [Fiduciary](#) responsibility is defined as: *an obligation to act in the best interest of another party. ... A person acting in a fiduciary capacity is held to a high standard of honesty and full disclosure in regard to the client and must not obtain a personal benefit at the expense of the client.* At Otis, Fiduciary oversight is provided by the [Board of Trustees](#), along with general oversight of the College's governance, fidelity to its mission, and overall affairs. By law, the Otis Board is the governing body, bound by its California 501(c)(3) corporate by-laws, and as such ensures the soundness of financial, physical, and other resources of the institution; integrates long-range planning into Board and Board Committee processes; and oversees and helps shape the College's strategic plans and broad policies.

Q: The Academic Branch—Academic Assembly/Faculty Senate—is an advisory body; that doesn’t suggest much authority to “govern” anything.

A: The Academic branch leads in the areas of curriculum, academic personnel policy and procedure, faculty rank and promotion, faculty development, assessment, and student academic standing, etc. While the term *governance* invokes images of government, voting rights, or consensus decision-making, higher education relies on shared governance, which seeks to inform policy, procedure, and direction widely from within a campus community and concentrate decision-making authority among certain (naturally fewer) roles. Expert input should be widely sought, and applied, but decision-making authority itself is not in the hands of many. At Otis the Board and President hold specific authority, and with that are bound by Otis’s Shared Governance system to properly confer for informed decision-making. The Senior Leadership Team, the Academic Assembly/Faculty Senate, the Chairs’ Council, and many other groups on campus are all advisory; each provides vital information and expertise for synthesis and support of institutional decisions.

Q: If advisories are so common at so many levels, how effective are they in terms of actual decisions affecting the College’s policies, procedures, and direction?

A: A good example of effective recommendations, historically, comes from the Academic branch. All recommendations made over the past two decades (in the memories of the Task Force members who’ve been present through that many years) by the Academic Assembly have been heard, followed, and implemented by the College—including the forming of the Faculty Senate, the implementation of the Faculty Merit Steps system, the advent and use of the Performance and Step (PAS) assessment form, numerous Faculty Handbook revisions, the forming of the Digital Media and Product Design programs, etc. Advisory groups—from the Academic Assembly to the Senior Team—help the College reach conclusions, implement new options, grow, and continuously improve. Similarly, the Working Strategic Plan exemplified a vast process of broad input gathering, much complex synthesis, and positing of informed options for feedback, then revision and refinement, toward a well-supported plan to guide the College forward.

Q: It’s clear that the subject of Shared Governance has been looked at very closely, and it’s cool that we can see more about it, now, but in some ways it seems as if the Task Force is just showing us what we’ve had all along.

A: Shared governance has been alive and well at Otis for decades, and has worked in ways that align with common practices in colleges and universities. The Task Force’s review, alignment, and clarification (plus making centrally visible) has added value of several kinds, including:

- Making it clear to the new President that Shared Governance is an inherent part of Otis, and of the President’s work and role
- Supporting the development of two new standing Conferral groups—the Diversity, Equity, and Inclusion Council and the Staff Council (forming)
- The codifying of Conferral, itself, as a key tenet of Shared Governance so that it remains a focus of and robustly functioning part of our system
- Aligning our system with contemporary norms and best practices in higher education

- Adding awareness and visibility through the forming of the new centralized web repository so that the sources and related college resources reviewed in 2019-20 can be accessed in one, purposeful place, and maintained there going forward.

Q: The system outlined by the Task Force refers to “fitting transparency,” yet sometimes at Otis it seems like certain information is simply not shared. Why can’t things be much more transparent?

A: In some matters, strict confidentiality is required for efficacy or legal reasons. It’s hard to hear that more can’t be said about an important matter that might arise, or stir great interest. Thinking of such a matter from one’s own point of view, however—as the subject, oneself—can help illustrate why some things are protected or held confidential for good reason. For example, if you experienced a job performance problem and were in difficult discussions with your chair, director, or manager, you would likely value greatly the legal privacy protections afforded to all California employees. These same kinds of protections also apply to certain kinds of accusations or investigations that are occasionally triggered. When it’s about someone or something else, it’s easy to feel as if we have a *right to know*. Yet when it were about us, it’s easy to see how important confidentiality is. It’s just one reason that all information about all things is not widely shared; fiduciary and specific decision-making responsibilities are other examples.