

Rider University AAUP Training for Academic Policy Committee Members

The role of faculty in making decisions in governance matters is one of the most important rights negotiated between the AAUP and the administration. This document's purpose is to familiarize APC members with the nature of their responsibilities. For more details on governance procedures, please refer to Article XIII of the Agreement or contact Joel Phillips, AGO (phillips@rider.edu), Jeff Halpern, CGO (Halpern@rider.edu), or your college/school AAUP grievance liaison.

What do APCs do? APCs make academic policy.

What is a policy? A policy is anything passed by an APC that can be implemented (e.g., course approvals, curriculum changes, creation of subcommittees and assigning of their charges, admissions requirements, etc.)

How does our APC structure compare to academic governance structures at other universities? Most institutions have a Faculty Senate, a body that makes *recommendations* to administrators in whose hands final decisions are made. Our APCs actually make policies. Though faculty have a slight majority on all APCs no policy can pass without support from both parties. Elected members of the faculty chair our APCs, set their agendas, and run the meetings.

Committee Membership

- Except for CCS, eligible bargaining-unit members must have completed 2 FT years of service.
- Bargaining-unit members elect the bargaining-unit members who serve on the APC and any alternate member(s).
- Deans are required to serve on the APC. If a dean cannot attend a meeting, s/he may send a substitute who is permitted to vote.
- Deans appoint two department chairs to serve on their college/school's APC.
- APC chairs should remind the SGA to provide the name of its representative to the APC.

Electing APC Officers

From among the full-time bargaining unit members each APC shall elect a Chair and a Secretary/Vice Chair. In addition college/school APCs elect a liaison to the UAPC and the WCA APCs each select a liaison who will attend the meeting of the other. It has been the practice prior to the first meeting of the entire APC that its bargaining-unit members caucus and select the officers and liaisons.

Responsibilities of the APC Chair

- Email Elaine Caron, (ecaron@rider.edu), Terri Rue (aaup@rider.edu), and Diane Campbell (dcampbell@rider.edu) the names of all elected officers immediately after their election. Post your APC's annual meeting schedule on the AGP as soon as possible.
- Publish a call for agenda items and a deadline for their submission.
- Set your APC's meeting agenda.
- Email the agenda to the entire AGP and post it to your committee's AGP site in no case less than three days prior to the meeting. More notice is desirable.
- Post all documents related to the committee's business on your AGP site in a timely manner, but in no case less than three days prior to a meeting. More notice is desirable.
- Invite guests when matters pertain to the expertise or interests of the guests.
- Run meetings in an orderly manner, in accordance with the procedures specified in the Agreement. Where the Agreement is silent procedures may be established by majority vote of its committee members but the practice has been to follow Robert's Rules of Order. Contractual procedures can only be altered by the AAUP and administration and never by an APC vote.
- Schedule the annual all-faculty forum (except CCS) to solicit feedback from colleagues regarding agenda to be pursued by the APC in the future.
- Request information necessary for the committee to deliberate. For example, the administration is required to provide relevant information, including financial, at the request of the APC.
- Distribute the approved minutes to the entire AGP and post them to the AGP.
- Recruit faculty to serve on various committees.
- Help proposers navigate the procedures your APC has devised for proposal submission.
- Run your college/school's P&T elections. (*Note that the AAUP runs the elections for APCs.*)
- Ensure all newly passed and revised courses are submitted to the Registrar on the required forms.
- Keep your committee's AGP site up to date.

Role of the Secretary/Vice Chair

- Serve as Chair if the Chair cannot attend a particular meeting.
- Take minutes at each meeting and transmit them to the Chair shortly thereafter.
- Assist the Chair in editing and distributing APC documents as well as with committee business.

Role of Regular and Alternate Member(s)

- Represent *all* the faculty of their college/school, not just their own departments.
- Reach out to all their colleagues in order to best serve the interests of their college/school.
- Come prepared to each APC meeting and ask tough questions of every proposal. Alternate members may attend and participate in all meetings, and may vote if a regular member cannot attend.

Role of APC liaisons

- Create a line of communication between APCs, informing each body of the work of the other and soliciting feedback from colleagues to enhance deliberations.

Meetings

- On the AGP is a published calendar of annual meeting dates for all APCs and the UAPC. Though some APCs choose a different schedule, each APC must post their meeting schedule on the AGP.
- Meetings are scheduled from September through May, but may be held during summer at the request of a majority of the committee and as long as a quorum is present.
- All APC meetings should occur face-to-face in order to allow for deliberation and remain open to members of the community.
- All APC meetings are open to all members of the community.
- Individuals who are not elected members of the committee or invited to present testimony do not have the privilege of the floor and are there as observers, not participants, in the debate. As per Robert's Rules the committee may vote to give the floor for comment to any visitor but otherwise debate should be limited to the members of the committee.

Minutes

- The Secretary/Vice Chair takes minutes at each meeting and provides them to the Chair for review shortly after the meeting.
- Minutes contain only a record of those present, a summary of the items discussed, and the actions taken, if any. Each summary consists of a brief recital of the substance of the discussion.
- In their draft form, minutes are uploaded to the committee's AGP site.
- Minutes are normally approved during the APC's next face-to-face meeting.
- Approved minutes are distributed to all members of the AGP and posted to the committee's site.
- Once emailed, approved minutes begin a 30-day clock for review by the other APCs.

Voting

- Each member has one vote equal to that of all other members.
- A dean may send an alternate in her/his stead; the substitute is permitted to vote.
- No one has the power to veto any item or to make any special requirements or conditions that restrict the operation of the APC to carry out its business under the Agreement.
- Five votes are needed to pass policy in a school/college APC. Eleven votes are needed to pass a policy in the UAPC. Student members do not vote.
- A policy may be brought to a vote regarding its enactment by a vote of at least 4 members of the APC, including the Dean (see Article XIII for details on how a policy may be brought to a vote).
- On request of any committee member, voting can be by secret ballot.
- In general, votes should not occur until a supermajority (majority plus one) agrees that a proposed policy has been sufficiently discussed. See Article XIII for a detailed discussion of rules on passing a policy and on curtailing debate.

Proposals

- APCs must review the actions of other APCs to determine whether any newly passed policies conflict with policies already in existence or that create an undesirable/unforeseen impact. If APC1 determine that APC2's passed policy will have a substantial adverse impact, APC1 shall submit a statement that describes that impact to APC2. The two APCs shall meet to resolve the problem. If they cannot come to a resolution, either APC can make a written request to the UAPC to serve as a mediator.
- Each proposal coming before the APC must be accompanied by a Resource Impact Statement (RIS). It is the joint responsibility of the policy proposer(s) and the Provost's (in the case of the UAPC) or the relevant Dean's office staffs (in the case of the College/School APCs) to develop the RIS. This statement should include such factors as the fiscal impact on the budget, technology resource costs, library costs, faculty costs and the impact of the proposal on the allocation and use of classroom and other physical spaces.
 - The Dean or Provost shall have a minimum of two weeks for minor proposals and 60 days for major proposals from the time the proposal is first put forward by the proposing department or individual to work in collaboration to create the impact statement.
 - The RIS indicates there is common understanding between the Dean or Provost and the policy proposer(s) of the resource impact of a proposal. The Dean or Provost cannot refuse to complete an RIS (or unduly delay preparation of the RIS) because s/he does not support a proposal. Decisions regarding whether a proposal becomes policy are made by the APC, which will weigh whether the benefit of the proposed policy justifies the resource costs of its implementation.
 - Major proposals must also be reviewed by the Facilities Monitoring Committee (FMC) for their space impacts prior to coming to the APC for review. The FMC's evaluation of the space impact of a major proposal should be incorporated into the RIS.
- Any member of the Rider community may bring a policy or issue to the attention of the appropriate APC for consideration. It is up to the APC to decide whether the policy or issue will be considered.
- Significant matters requiring APC approval should be presented in concept or outline form for an initial discussion not less than two months prior to being placed on the agenda for a decision. The Agreement specifies some items, but when it does not, the APC Chair determines whether an item is "significant."

Policy Implementation

- Before a policy passed by an APC can be implemented, the policy must first be emailed to everyone on the AGP. Once distributed, other APCs have a period of 30 days to assess whether there would be a *substantial adverse impact* created by the policy. If a substantial adverse impact is expected, then a written statement should be provided by the responding APC to the enacting APC describing the impact. The responding APC and enacting APC should meet to try to resolve the issue. If a resolution cannot be found, either APC may request that the UAPC act as mediator. If the mediation fails, the UAPC will make a recommendation to the Provost, who will make the final decision.
- During the 30-day period mentioned above, the University may give notice to the enacting APC and the AAUP that it declines to implement the new policy. The University may decline to implement a policy only under limited circumstances:
 - If the policy conflicts with or is otherwise incompatible with existing policies. The new policy may be reconsidered and modified by the enacting APC to eliminate the conflict.
 - If the policy has a demonstrable substantial impact on University finances or resources.
 - If the policy is demonstrably impracticable given the University's administrative procedures.
 - If the policy conflicts with laws, licensure requirements, or requirements of the University's general accreditation agency.
 - If the policy is inconsistent with a provision of the Agreement.
 - If the policy affects terms and conditions of employment.

Written notification of the University's reasons for declining to implement a policy must be Provided within 60 days of the policy's enactment.

Academic Governance Definitions

- An **academic policy** is any implementable action passed/enacted by an Academic Policy Committee (APC).
- A **proposal** is an APC agenda item that has the potential for implementable action if passed/enacted by an APC.
- A **proposer** is the entity that creates a proposal, typically a department or program acting after deliberations that led to an affirmative vote to proceed to the APC.
- **Minor proposals** are items perceived to have a modest impact, such as a single new course or the appointment of members to a committee. Informed by but not limited to the preceding guideline, the APC chair will determine whether a proposal meets the criteria for "minor." Minor proposals typically will not require review by the Facilities Monitoring Committee, but may be referred to that committee at the request of the relevant Dean, the Provost, or the AAUP.
- **Major proposals** are items perceived to have a more substantial impact, such as new majors, new minors, new programs, new departments, and the like. Informed by but not limited to the preceding guideline, the APC chair will determine whether a proposal meets the criteria for "major." Major proposals require review by the Facilities Monitoring Committee.

- **Resource-Impact Statement (RIS)** The University, acting through the Deans for the College and School Academic Policy Committees and the Provost for the University Academic Policy Committee, in consultation with the proposer, will prepare a resource-impact statement (RIS) for each proposed new academic policy. The RIS will include, but not be limited to, such factors as the fiscal impact on the budget, technology resource costs, library costs, faculty costs and the Facilities Monitoring Committee's analysis of the impact of the proposal on the allocation and use of classroom and other physical spaces. The RIS will include not only the resource cost, but also the supporting research and assumptions that were used to anticipate and determine that cost. The RIS will be made available in advance of the meeting in which the policy is being considered so that it can be posted online and committee members can give it adequate consideration.
- **APC procedural clocks** are day-counters initiated by certain events that occur during the governance process. They run only during fall and spring semesters and exclude the periods of winter break and summer. Because academic decisions have University-wide impact procedural clocks help ensure that all community members are informed of potential changes and have the opportunity to participate in the deliberative process.

Terms that relate to policy status

- **Proposed:** A potential policy under deliberation by an APC but not yet voted on
- **Passed/Enacted:** A proposal deliberated for an appropriate minimum time, voted on, and that received five affirmative votes (in the case of college, school or library APC) or eleven affirmative votes (in the case of the UAPC)
- **Rejected:** A proposal deliberated for an appropriate minimum time and voted on, but that received fewer than five affirmative votes (in the case of college, school or library APC) or eleven affirmative votes (in the case of the UAPC)
- **Implemented:**
 - A passed/enacted policy that has successfully completed a thirty-day review period and whose provisions the University is obligated to follow
 - A rejected policy the University chooses to enforce because it is necessary to resolve a conflict with a law, governmental licensure requirement, requirement(s) of the University's general accreditation agency, or this Agreement.
- **Non-implemented:** A passed/enacted policy the University refuses to implement because it meets one of six demonstrable criteria specified in Article XIII.

Procedural Timeline from Proposed Policy through Policy Implementation

Actions taken *prior to an APC meeting*

- **More than 1–2 months:** The proposer develops a proposal.
- **Minus circa 1–2 months:** The proposer works with the Dean (in the case of proposals that will appear before a college, school, or library APC) or the Provost (in the case of proposals that will appear before the UAPC) to develop a Resource-Impact Statement (RIS) that will accompany the proposal. The relevant administrator shall have not less than two weeks to prepare the RIS for a minor proposal and not less than two months to prepare the RIS for a major proposal. If a proposal is complex, the administrator may request additional time to prepare the RIS.
- **Minus circa 1–2 weeks:** The proposer submits a proposal and all supporting documentation to the appropriate APC chair by the deadline for submissions set by each APC—typically one to two weeks prior to a meeting. Supporting documentation must include the RIS, and if relevant, other items such as evidence of departmental and DLAC approval, forms that may be required by the APC, and the like.
- **Minus circa 3–5 days:** An APC’s agenda is published to the entire University community and posted on the Academic Governance Portal (AGP).

Actions that may occur *during an APC meeting*

- The first meeting during which a major proposal appears initiates a procedural clock of not less than two months. Major proposals that have been deliberated during APC meetings for at least two months may be voted on.
- Minor proposals may be introduced, discussed, and voted on.

Actions that may occur *after an APC passes a policy*

- **Plus 30 days:** When an APC votes and passes a policy, this action is recorded in the minutes of that meeting. When those minutes are approved—typically during the following committee meeting—the APC chair will distribute the approved minutes to the entire University community as well as post them to the AGP. The receipt of these approved minutes initiates a thirty-day (30-day) procedural clock during which the policy is reviewed by all other APCs to determine whether there will be a substantial adverse impact if the policy were implemented.
- **Plus 31 days:** If during the thirty-day review period no APC expresses a concern to the APC that passed a policy, the University will either implement the policy or it will notify the APC that passed it and the AAUP that it will not implement the policy.
- **Within 60 days:** If the University chooses not to implement a policy duly passed under this Article or if it chooses to implement a rejected policy, the University shall provide written reasons for its decision to the appropriate APC and to the AAUP within sixty (60) days of the date the policy was passed.