

Formal Censure of the Utica University Board of Trustees

The Faculty Senate of Utica University (Faculty Senate) hereby issues this public censure expressing disapproval of Chairperson Bob Brvenik and the entire Utica University Board of Trustees (Board), noting:

WHEREAS, on August 19, 2022, the Board issued a resolution mandating an academic program portfolio review that completely neglected the long-established and well-documented curricular processes at Utica University; and

WHEREAS, the Board's actions violate the terms negotiated with the AAUP-Utica in the current Collective Bargaining Agreement, specifically, Article 7, GOVERNANCE, Section 7.1, Faculty Senate Committees, which states:

...[T]he College recognizes the right of the faculty to exercise that governance through the Faculty Senate, which shall include, but not be limited to, the following committees as constituted in the by-laws of the Faculty Senate and with authority to make recommendations to the President either directly or through the Faculty Senate or the Provost as specified in its by-laws: ...

The Curriculum Committee shall consider and make recommendations regarding matters related to the curriculum of the College (lines 144-49, 158-59).

WHEREAS, the AAUP Utica/AFT 6786 filed a formal grievance on January 10, 2023 over the University's failure to follow the procedures of the Faculty Senate Bylaws and that grievance is ongoing; and

WHEREAS, the Curriculum Committee, per the Utica University Bylaws of the Faculty Senate, is designated as having the function and authority to:

receive, consider and/or initiate all requests for, or studies of, new or revised curriculum changes, including the general education program, majors, minors, special programs, courses, course credit, descriptions, numbers, titles, methods of instruction, graduation requirements and all standards and policies pertaining to the same; consider what changes are academically wise, financially practicable and within the mission of the College; and report and recommend the same to the Faculty Senate (lines 166-172).

WHEREAS, the University, in fulfilling the "Utica University Strategic Plan 2020-2025" *Measure* to "Arrive at a common understanding of 'shared governance'" defines the faculty role as:

The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process. The Utica College Bylaws of the Faculty Senate state that the faculty participate in governance through the Faculty Senate and have the responsibility to review and make recommendations in all matters related to the academic life of the institution ("Shared Governance: Definition and Participant Roles," approved by the President and Provost on 03/2021).

WHEREAS, there is no apparent intention to include the Curriculum Committee in the academic program portfolio review process nor any acknowledgement that “the faculty has primary responsibility for such fundamental areas as curriculum”; and

WHEREAS, it is unclear what benefits or financial savings, if any, these recommendations will bring about; and

WHEREAS, the Board, by demanding that programs be eliminated—while providing no supporting data or documentation—has mandated an academic program portfolio review that violates their own Code of Ethics and Personal Responsibility, which requires:

Trustees seek continually to refine and clarify the mission of the University. They approve the educational programs and long-range plans that enhance the University’s mission. They work to insure financial solvency and preserve the University’s independence and public image, while also providing a community perspective to the University.

WHEREAS, the entire academic program portfolio review process has been mired in assurances of data, methods, the task force report, avenues for discussion and consultation, and guarantees of transparency regarding how and why such recommendations were made, but no such information has been forthcoming and no explanation has been provided for why such promises were broken and why such information has been withheld; and

WHEREAS, the failures of transparency, inclusive processes, and shared governance on behalf of the Board reflect a repeated pattern of disrespect and minimizing faculty involvement in the governing of the institution; and

WHEREAS, censure by the Faculty Senate is a collective judgment of condemnation for the sidestepping of shared governance and proper curricular processes, as well as a formal public act of disapproval of the Board’s unacceptable behavior;

THEREFORE BE IT RESOLVED that the Faculty Senate does hereby censure, disavow, and formally express disapproval of the Utica University Board of Trustees leadership and conduct; and

BE IT FURTHER RESOLVED that the Faculty Senate requests that the Board of Trustees rescind their Resolution on Academic Program Review from August 31, 2022 and reject any recommendations brought to the Board as a result of the academic program portfolio review process; and

BE IT FURTHER RESOLVED that, in acknowledgement of the Board’s concerns for the health of the institution, and the faculty’s concern for the financial solvency of the institution and the negative financial ramifications these recommendations will likely have on Utica University, the Faculty Senate requests from the Board a detailed account of the apparent crises facing Utica University, and the nature of the actions that they believe are needed to solve them, with specific data demonstrating the effectiveness of such actions, including how passing the academic program portfolio review recommendations will provide financial benefits to the University; and

BE IT FURTHER RESOLVED that if revisions to programs are deemed necessary, such revisions will follow the proper procedure for program revision set out in the Collective Bargaining Agreement and the Faculty Senate Bylaws; and

BE IT FURTHER RESOLVED that this censure on the Board will remain in place until the Faculty Senate votes to remove it, based upon the Board's response and actions after receiving this censure.