



Rutgers University Senate

Report of the University Structure and Governance Committee

Charge: S-1403, Process for Unit Mergers or Other Structural Changes: Consider whether the University Senate should establish a general procedure, timeline, template and process for merging, dissolution or making structural changes to any university unit. Consider how such a process could assist the university and units in working in a deliberate, consultative and rational way so that all issues, impacts, concerns and benefits can be properly considered on a timely basis. Make recommendations on time limits, and process.

Background:

The integration of legacy UMDNJ and the university's invitation into the Big 10 has provided the opportunity for improving the structure and effectiveness of the schools and units within Rutgers. The integration of legacy UMDNJ and Rutgers enacted by state legislation effective July 1, 2013 has necessitated restructuring of some of the units to reduce or eliminate programmatic and curricular redundancy.

In January 2011, Executive Vice President Furmanski submitted to the chair of the Rutgers University Senate a proposal to transform the Department of Nursing in Camden into an independent School of Nursing. The Senate was tasked with assessing the proposal and expected to decide whether or not to endorse the proposal by April 1, 2011.

At its January 24, 2014 meeting, the University Senate was asked to consider, in a compressed timeframe, a proposal prepared by William L. Holzemer, Dean, College of Nursing – Newark and New Brunswick and Susan Salmond, Dean, School of Nursing – Rutgers Newark (legacy UMDNJ) to merge their respective units into a single school with the proposed name of the Rutgers School of Nursing. The Executive Committee of the Senate asked each Senate committee to evaluate the proposal and to provide a report with questions and concerns. All committees agreed to the merger (or did not disagree) in principle.

On March 31, 2014, the University Senate was asked to consider a proposal prepared by Joanne Robinson, Dean, Rutgers School of Nursing – Camden and Marie O'Toole, Associate Dean for Academic Affairs and Stratford Campus, Legacy UMDNJ School of Nursing to integrate the Legacy UMDNJ School of Nursing (Stratford) program with the Rutgers School of Nursing – Camden. In her communication to the Senate office, Dean Robinson indicated that she and Dean O'Toole wished to present this proposal to the Board of Governors for approval at the June 2014 meeting. The Senate Executive Committee, on behalf of the University Senate, deliberated quickly and conditionally endorsed this proposed merger.

In all three cases, the Senate noted a timing problem and strongly indicated it should not be repeated. Thus to assist units considering any structural changes, the University Senate has considered a mechanism to streamline and carefully consider each request.

Considerations: The University Senate has been asked to consider the proposed creation and merging of various units since 2011 with little or no time for careful deliberation and consideration of issues, despite multiple attempts to raise awareness and explicit requests for appropriate notification. This creates an environment in which mistakes or a lack of planning can have a considerable cost, both financial and in human capital. To properly avoid a negative impact on the university and its community, a standardized process should be established and clearly articulated regarding the merger, dissolution, and/or structural changes to any units within Rutgers. This process should be carefully constructed to allow proper deliberation of all related issues.

The “new” Rutgers encompasses the legacy UMDNJ units, adding a layer of complexity, a new influx of students, faculty and staff, as well as the integration of the culture and processes of both institutions. The invitation into the Big 10, with the inclusion of Rutgers in the Committee on Institutional Cooperation (CIC), provides the opportunity to better understand how these peer institutions practice shared governance. All of these factors provide the appropriate opportunities to assess the best practices of these other institutions, emulate those that will work in the Rutgers environment, and reaffirm those legislative powers that already have been vested in the University Senate by Rutgers Board of Governors.

As per University Senate bylaws and University Policy, the merging, dissolution, creation or restructuring of any unit within the university will be subject to study and regulation by the University Senate. The requests for change, whether by the unit or units involved, or by the administration, for strategic, economic or other specified reasons are to be submitted to the University Senate for study and approval.

The Senate derives its legislative powers from University Policy 50.2.2, University Senate – Duties and Powers. Click on the following link to view the policy in its entirety.

(<http://policies.rutgers.edu/view-policies/governance-legal-matters-%E2%80%9393-section-50>). In summary, 50.2.2 is somewhat ambiguous in regard to the power the Senate holds in determining the merging, changing or dissolution of units. In Section A of 50.2.2 it states:

“The Senate shall concern itself with all academic and non-academic matters pertaining to the mission of the University. Taking into account the diverse functions of the separate units of the University, it shall establish minimum standards respecting admission, scholarship and honors. The Senate shall also regulate formal relationships among academic units within the University, including the organization of the disciplines, recommend norms for teaching loads, and establish the University calendar. The Senate shall in addition have such other powers as the Board of Governors may delegate to it.”

Here, the term “regulate” denotes the clear authority of the Senate to authorize or reject changes in the structure of academic units and the university itself.

In section B of policy 50.2.2 it is noted in part that: “The Senate shall advise the President on matters of broad educational and research policy, which matters include but are not limited to: (a) budget priorities and allocations and general planning, (b) the establishment or dissolution of colleges, schools, divisions, institutes, and similar educational units, (c) special affiliations and programs, (d) regulations affecting students and faculty, such as those concerning academic freedom, equal opportunities, and personnel practices and procedures, and (e) such changes in educational and research policy as are covered in the University Policy Library. The Senate may also initiate action on these matters. The President of the University shall act on such matters only after having received the advice of the Senate or after giving the Senate a reasonable time in which to present its views...”

Sections A and B define advisory and regulatory authority of the Senate, separately and respectively, causing some ambiguity. The university would be better served by removing any such ambiguity and codifying the role of the Senate in these matters.

The Rutgers University Strategic Plan includes five foundational elements which are the core values of the university. These elements include:

- Strong Core of Sciences and Humanities
- Inclusive, Diverse, and Cohesive Culture
- Effective and Efficient Infrastructure and Staff
- Financial Resources Sufficient to Fund Our Aspirations
- Robust Shared Governance, Academic Freedom, and Effective Communication

Robust shared governance is an element essential to making Rutgers a top-tier AAU institution and contributing member of the CIC. Effective communication is critical at an institution as large as Rutgers so that decisions and directions happen in an inclusive environment to the benefit of Rutgers and all of its communities.

Whereas The University Senate is the one body that encompasses all of our communities. It is deliberative, includes every campus and unit, as well as alumni, and is at the heart of all of the foundational elements. To codify the role of the Senate we propose the following recommendations:

Be it resolved that The Senate recommends that the University adopt the following recommendations:

Recommendation 1: The University Senate’s legislative powers regarding regulation of units within Rutgers should be clearly articulated in Sections A and B of University Policy 50.2.2. Section A remains unchanged. In section B, insert a phrase that contains phrase (b): “*The*

Senate holds regulatory authority that is within the purview of shared governance such as the establishment, dissolution or merging of colleges, schools, divisions, departments, institutes, and similar educational units or any restructuring therein following phrase (e) (line 7), remove phrase (b) (line 3), and reformat the sections accordingly, as follows (changes are underlined):

- B. The Senate shall advise the President on matters of broad educational and research policy, which matters include but are not limited to: (a) budget priorities and allocations and general planning, ~~(b) the establishment or dissolution of colleges, schools, divisions, institutes, and similar educational units,~~ (b) special affiliations and programs, (c) regulations affecting students and faculty, such as those concerning academic freedom, equal opportunities, and personnel practices and procedures, and (d) such changes in educational and research policy as are covered in the University Policy Library. The Senate holds regulatory authority that is within the purview of shared governance such as the establishment, dissolution or merging of colleges, schools, divisions, departments, institutes, and similar educational units or any restructuring therein. The Senate may also initiate action on these matters. The President of the University shall act on such matters only after having received the advice of the Senate or after giving the Senate a reasonable time in which to present its views...”

Recommendation 2: The administrator(s) desiring the “establishment, dissolution or merging of colleges, schools, divisions, departments, institutes, and similar academic units or any structuring therein” shall submit a proposal with the information required by the Senate to determine if the proposed change is in Rutgers’ best interests, using the process outlined below:

1. The proposal shall be forwarded to the Senate Chair not less than 6 months prior to required action by the university president or governing board. Upon receipt of the proposal, the Senate will conclude its deliberations within the same time frame.
2. The Senate questionnaire (Appendix A) shall be adapted as appropriate and included with the proposal.
3. The proposal will be evaluated by the appropriate standing committees of the Senate. Committees will report back to the Executive Committee, who will draft a response for the full Senate to either endorse or recommend against. Standing committees and the Executive Committee may request further information or clarification during the evaluation process, or may request periodic updates should the unit change proceed.
4. Once the Senate has fully deliberated and voted, the President will act on the Senate recommendation or submit the Senate's report to the relevant committees of the Board of Governors as appropriate.
5. The Senate’s University Structure and Governance Committee will re-evaluate the process and outcome of implementation in two years.

Appendix A: Senate questionnaire for establishment, dissolution or merging of colleges, schools, divisions, departments, institutes, and similar academic units:

Part A. Needs a heading.

1. What is your name and title?
2. What is the name of the unit you wish to create, modify, dissolve or restructure?
3. Who is requesting this change?
 - Rutgers University Central Administration
 - The Faculty of the school/department/unit
 - The administration of the school/department/unit
 - Mandated by state legislation
 - Rutgers University Senate
4. What type of unit is this?
 - Academic Unit
 - Administrative Unit
 - Research Center or Institute
5. When would you like this proposed change to take place?
6. Please describe the reason for this change.
7. Have the faculty been consulted in an open forum and have they had an opportunity to vote for or against this change?
 - Yes
 - No
8. If yes, what is the result of the vote?
9. Did you follow each unit's bylaws during the consultation and deliberation process?
10. Were the appropriate stakeholders consulted? If so, please list, and what is their overall position on the matter?

Part B: Questions to be answered by the unit or units represented in this change:

1. Is there statutory or contractual requirement that this change take place?

2. If this is an academic unit responsible for undergraduate or graduate instruction, can you provide a curriculum document that will help inform the Senate regarding curriculum issues?
3. Will the name of the department, unit or school change or remain the same?
4. How will the name of the combined, dissolved or changed unit or school appear on diplomas? Will students be allowed to choose the school name to appear on their diploma if they are currently enrolled in one of the existing units?
5. How will faculty reappointments, promotions and other personnel matters be handled?
6. Is there a uniform process and procedure being harmonized?
7. How does the size and staffing (including faculty) of the merged unit compare to 1) the individual units prior to the merger; and 2) comparable units at aspirant AAUs?
8. Is the size, complexity, and cost of the administrative structure in the preliminary proposal sent to the Senate comparable to those of the administrative structures in peer schools or disciplines?
9. What steps were taken to ensure that faculty members were involved in all aspects of the restructuring process?
10. What precautions were taken to ensure that votes for restructuring were confidential and not coerced or unduly influenced?
11. What impact will the restructuring have on the individual unit budgets?
12. How will the budgets be reconciled upon restructuring?
13. What are the costs involved in restructuring?
14. What are the financial benefits if any?
15. What is the impact of the restructuring on enrollments?
16. What are approximate cost projections for the merger? What are expected long-term savings?
17. If money is being taken from a budget reserve to help cover merger costs, then what are the expected short- and long-term impacts of that diminishment of the budget reserve?
18. How will the restructuring affect other programs or areas of the university?

19. If the leadership team of each unit is merged, how will the new leadership be decided?
20. What are the costs of not restructuring, if any?
21. Are there any accrediting bodies involved? If so, what information and processes do they require?

University Structure and Governance Committee (USGC) Members, 2014-15

Oliver, Jon, NB Staff, Co-Chair
Puhak, Robert, FAS-N (F), Co-Chair
Admani, Saad, RBS-N (S)
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Anderson, Ellen Zambo, SHRP (F)
Aubry, Marie-Pierre, SAS-NB (F)
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Eastman, Wayne, At-Large N (F)
Edward, David, Newark Staff
Ganesh, Jaishankar, SB-C Dean (A)
Gomes, Richard, PTL-N (F)
Holzer, Marc, SPAA Dean (A)
Hughes, James, EJBSPPP Dean (A)
Janniger, Edmund, SPAA (S)
Karamichael, Kenneth, NB Staff
Kocak, Jordan, EJBSPPP (S)
Krishnamurthi, Bharath, Engineering (S)
Mitra, Akash, SEBS (S)
Mitchell, Sean, FAS-N (F)
Moran, Elizabeth, RBHS At-Large (F)
Oberdiek, John, Law-C (A)
O'Connell, Claire, SHRP (F)
Schulberg, Justin, SAS-NB (S)
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Shulman, Jacob, SAS-NB (S)
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Svasti, Luke, SAS-NB (S)
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