

**UNIVERSITY SENATE**  
**UNIVERSITY AT ALBANY**  
**STATE UNIVERSITY OF NEW YORK**

Introduced by: Governance Council

Date:

**PROPOSED CLARIFICATION OF CONSULTATION PROCEDURES**

IT IS HEREBY PROPOSED THAT THE FOLLOWING BE ADOPTED:

1. That the University Senate approve the following proposed clarifications of Consultation Procedures, effective upon approval by the Officer in Charge.
2. That this Proposal be forwarded to the Officer in Charge for approval.

**CLARIFICATION OF CONSULTATION PROCEDURES**

1. Task forces, special committees, commissions, and similar advisory groups (hereafter simply referred to as *advisory groups*) that involve Faculty shall be constituted in consultation with the cognizant governance body or bodies in the area in which advice is being sought ([including relevant school/college governance bodies](#)), or, if no such cognizant governance body is identified, in consultation with the Senate Executive Committee.
2. Consultation means that the relevant governance body is approached *before* the make-up of the advisory group and the majority of its members are determined, so that governance can provide meaningful input.
3. An advisory group formed to advise on academic matters or on other matters that relate to the Faculty's responsibilities under the Faculty Bylaws of the University at Albany shall include a majority of [Teaching Faculty](#) members, chosen for their expertise and experience with the matters under consideration, and chosen so that a variety of constituencies are represented.
4. If an advisory group is to be considered part of the formal consultative process referenced in the UAlbany Faculty Bylaws, Article I, Section 2.4.1, the chair of such group shall be chosen in consultation with the Senate Governance Council, the majority of its members shall be members of the Voting Faculty, and [at least half the majority](#) of said Voting Faculty members shall be appointed by, or their recommended appointment approved by, the Senate Governance Council. Whenever an advisory group is part of the formal consultative process, the Senate Governance Council shall inform the members of the advisory group of this status.
5. If an advisory group is not intended to be part of the formal consultative process, its members shall be so informed and be made aware that they do not represent the Faculty or any faculty governance body, and that their input is sought because of their individual professional expertise or for other reasons as determined by the administrative individual or body that requests the services of said advisory group.

**RATIONALE**

The Faculty Bylaws specify principles concerning consultation with faculty, such as

a) In order for the Faculty to discharge its responsibilities, it must participate in effective consultation with the University President and administrators..... The aim of consultation is to facilitate frank and open dialogue and utilize the knowledge and experience of the faculty, administration, staff and students in decision making.....It would be advisable that such task forces, special committees and commissions should be constituted in consultation with the elected governance bodies..... (Preamble)

b) Ideally, such advisory groups will be constituted in consultation with the Governance Council.... (Article I.2.5)

c) .....such groups do not represent the Faculty as a whole and advice from such groups does not replace approval by, or formal consultation with the Faculty. (Article I.2.5)

d) .....however, for such groups to be considered part of the formal consultative process, a majority of the faculty members (*servicing on such groups*) must either be appointed by, or their recommended appointment approved by the Senate Governance Council.... (Article I.2.5)

The Senate Governance Council is charged, in particular, to seek to improve governance and enhance consultation among administration, governance bodies and their constituencies (Article II.5.2). While fulfilling its responsibilities, the Governance Council has, at times, found it difficult to interpret and implement these general principles so as to optimize meaningful consultation between administration and faculty governance.

For example, on several occasions the Governance Council was contacted by administrators regarding the formation of an advisory group, whose composition, chair, and membership was already substantially determined or, at best, proposed. This puts the Governance Council in the awkward position to either simply accept what is proposed, or to suggest and seek major changes that may appear to be in opposition of administrative plans. In order to improve the effectiveness and potential benefits of consultation, it would be desirable to begin consultation as early as possible, before important details are worked out.

On occasion, proposed advisory groups either had minimal (teaching) faculty participation or the additional input sought from the Governance Council was very limited. While this may be appropriate for certain advisory groups, the role of the faculty must be substantial whenever the matter at hand concerns faculty responsibilities.

The Faculty Bylaws make a clear distinction between advisory groups that are part of the formal consultative process and those that are not. It is difficult to envision a formal consultation process with governance that involves a minority of faculty members, even if half of these faculty members, say one of two in a group with ten members, is appointed by the Governance Council. Such a token faculty representation is not sufficient to represent governance in meaningful formal consultations. Furthermore, in order to avoid potential misunderstandings or future disagreements, all participants should clearly understand the status of a particular advisory group, i.e., whether or not it is part of the formal consultative process.

The Governance Council believes that the proposed clarifications are consistent with the spirit and principles formulated in the Faculty Bylaws and that they would improve the consultative process.