Motion SF09/10-1 – To approve the revised internal governance document

Preamble: The Internal Governance Committee was charged by President Lariviere and the Faculty Advisory Council with revising the current internal governance structure. The need for revisions arose as a result of a November 2008 Oregon Department of Justice opinion stating that the University’s system of government is not in compliance with state law. Under state law, “[t]he President and the professors constitute the faculty,” and the law delegates to that faculty “the immediate government and discipline” of the University (ORS 352.010). At the University of Oregon, however, the University Assembly and then the University Senate have been the governing authority within the University. Those bodies have been composed of officers of instruction, librarians, officers of administration, classified staff, and students – a group that the Department of Justice explained is broader than “the statutory faculty.” The Department of Justice concluded that “in the absence of a separate faculty body and a proper delegation from that body, the Assembly [and Senate] may not exercise the authority conveyed only on the faculty by ORS 352.010.” Based on this opinion, it was clear that the University needed to revise its internal governance so that the “statutory faculty” have a mechanism to meet to be in compliance with state law.

Whereas, the revised internal governance document addresses the problems identified in the Department of Justice opinion,

Be it moved that, the revised internal governance document be approved effective September 16, 2010.