

November 17, 2009

TO: R. Michael Range, Chair, University Senate
FROM: Eric Lifshin, Chair, Governance Council
SUBJ: GSS Panel Reports and the Graduate Academic Council

As you requested, the Governance Council held a special meeting to review questions regarding the Graduate Academic Council's desired access to the individual panel assessments of the Graduate Student Survey (GSS) and the counter claim that the *Senate Charter* does not require this since the GSS reports will not include explicit recommendations regarding either a program's continuance or its funding.

The Governance Council carefully reviewed the relevant portion of the Graduate Academic Council's section of the *Charter*:

X.4.4. The Council as a whole shall review all proposals for new graduate programs. It shall submit recommended program approvals to the University Senate for consideration.

X.4.5. The Council as a whole shall review proposals that would affect the continuation of graduate programs

X.4.5.1. It shall consider assessment reports pertaining to graduate programs including those from the Council on Academic Assessment and shall recommend changes it deems desirable.

X.4.5.2. After due consideration, the Council may bring a recommendation to suspend or discontinue of a program to the Senate.

The Undergraduate Academic Council has a parallel dual function (X.3.4 and X.3.5)—each council “as a whole” considers proposals for new programs for recommendation to the Senate, and each council “as a whole”, once a program has been created, is responsible for reviewing assessments of the program (not just those from the Council on Academic Assessment) for the purpose of making recommendations to the Senate including, and only "after due consideration", a recommendation for “suspension or discontinuance of a program.”

The Governance Council unanimously agreed that **any assessment report of a program has the potential of affecting the program's funding and continuance**, whether or not such recommendations are explicit or implied in the report. The Governance Council also unanimously agreed that for the Graduate Academic Council to fulfill its obligations, it needs to review the information which led to the GSS panels' conclusions.

The University at Albany's *Faculty Bylaws*, in accordance with the *Policies and Procedures of the Board of Trustees*, stipulates:

Article I, Section 2.2.2. The Faculty shall be informed and given opportunity to discuss at the earliest possible stages in their formulation, and shall review and provide formal consultation on, prior to adoption, all proposals regarding:

(a) Creation, renaming, major re-organization, or dissolution of academic units and programs

The *Senate Charter* assigns that function to the Graduate Academic Council "as a whole" to review assessment reports and make its recommendations to the University Senate and thence to the President and Provost. Since the GSS committee structure and its panels are *not* part of

University governance, their review of assessment-related data and their conclusions may help inform the judgment of the Graduate Academic Council and the University Senate, but neither the council nor the Senate can or will abrogate its responsibilities to the Faculty.

Note that although the Council on Academic Assessment is part of University governance, the Graduate Academic Council is also charged with considering that council's suggestions and conclusions but required to arrive at its own recommendations to the Senate, particularly proposals such as "renaming, major re-organization, or dissolution" that could have enormous impact on a program's future, its faculty and its students.

The Senate Executive Committee was informed that each program would be reviewed by two GSS panels and, if their assessments were sufficiently divergent, by a third panel. This recognizes that an individual panel is not infallible; nor, of course, are two individual panels that happen to agree. While it might assist the Graduate Academic Council in its task if it knew which panels made each recommendation (on the reasonable assumption that some panels might tend to be somewhat "hard-nosed" or "easy-going"), the Governance Council agrees with the decision that the anonymity of the panels, or rather of their members, should be preserved. The Governance Council believes it will be sufficient for the Graduate Academic Council as a whole to review all the individual assessments made by the GSS panels and the data that served as the bases for those assessments. The division of GSS labor among the several panels suggests that *no* panel reviewed *all* the programs.

While the Graduate Academic Council's request was concerned only with its own access to the information that will enable it to perform its obligations, the Governance Council further notes that the University Planning and Policy Council either immediately or eventually may also need full access to these reports in order for it to fulfill its obligations as stated in the *Senate Charter*:

X.2.4. The Council as a whole shall be informed of and given opportunity to discuss, at the earliest possible stages in their formulation, and shall review, with respect to strategic and budgetary goals, prior to their adoption, proposals for new academic programs and actions affecting continuance of existing programs. The Council shall make recommendations regarding such proposals to the Senate for its approval.

X.2.4.1. The Council shall recommend dates for implementing new programs or discontinuing existing programs.

X.2.4.2. The Senate Executive Committee shall coordinate program review procedures involving the Undergraduate Academic Council, the Graduate Academic Council, and the Assessment Council, as appropriate.

Regarding *Senate Charter* subsection X.2.4.2, the Governance Council does not consider that the Senate Executive Committee needs to require that the Council on Academic Assessment have access to the individual GSS panel reports. However, it was the feeling of the Governance Council's members that in the future it might be more prudent and appropriate for the administration to engage the Council on Academic Assessment in the initial review process before tentative evaluations are transmitted to the Graduate Academic Council and the University Planning and Policy Council. The fact that this was not done when such a review last occurred in the 1990's cannot be legitimately cited as a "precedent" since that earlier review preceded the adoption of the revised *Faculty Bylaws*, the creation of the *Senate Charter*, the establishment of the Council on Academic Assessment, and the strong emphasis that the Faculty, through its governance structure, be involved "at the earliest possible stages."

The Governance Council unanimously agreed that, given the sensitive nature of the information that may be contained in the individual GSS assessments and the documents and data upon which those assessments were made, **both the Graduate Academic Council and the University Planning and Policy Council should take an oath of confidentiality before receiving these materials**, since any premature indication that a program may be seriously flawed or be in some jeopardy of radical reorganization or loss of support risks becoming a "self-fulfilling prophecy." Once an appropriate review is concluded by University governance in accordance with its requirements and Board of Trustee's policies, it is possible that the Graduate Academic Council and the University Planning and Policy Council will forward to the University Senate, the President and the Provost recommendations that negatively affect one or more programs. If so, the campus community, as well as potential students and faculty and the academic community at large, will become aware of the issues involved but *only* for the one or more programs in question. Otherwise, all information in the assessment, whether positive or negative, needs to be held in strictest confidence.

Finally, if the Graduate Academic Council and as necessary the University Planning and Policy Council do not receive the complete individual GSS panel assessments and the accompanying data "at the earliest possible stages" for their deliberation, the members of the Governance Council unanimously recommend that the Senate Executive Committee or the University Senate as a whole should declare

that it will not be appropriate for University governance bodies to consider much less accept conclusions or recommendations of a "summary" GSS report or similar information lacking sufficient transparency and documentation and

that any decisions and actions of administrative offices based on GSS conclusions and recommendations shall be considered to have occurred without "formal consultation" with University governance.

cc: Laurence Kranich, Chair of the Graduate Academic Council
Marjorie Pryse, Dean of Graduate Studies
John W. Delano, Chair University Planning and Policy Committee