REPORT OF A
FOCUSED VISIT

Assurance Section

TO

University of Akron
Akron, OH

April 28 and 29, 2008

The Higher Learning Commission

A Commission of the North Central Association of Colleges and Schools

EVALUATION TEAM

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I. CONTEXT AND NATURE OF VISIT

A. Purpose of Visit

The comprehensive visit of April 27-30, 2003 resulted in a mandated focused visit to address two issues: student outcomes assessment and institutional governance. The institution has joined the HLC Academy for Assessment of Student Learning and the focus visit on this issue has been suspended until the institution demonstrates successful participation and completion. This purpose of this visit is therefore "to assess the nature of the relationship and roles of faculty in shared institutional governance" (Comprehensive Visit report, p. 10).

B. Accreditation Status

Accredited; the next comprehensive evaluation is scheduled to take place in 2012-2013.

C. Organizational Context

The University of Akron (UA) is a comprehensive publicly assisted metropolitan university, in the Carnegie classification of "Research University, High Activity". UA offers degrees at the Associate, Baccalaureate, Master, and Doctoral levels; program offerings span the arts and sciences and several professions including Education, Law, Business Administration, Engineering, and Nursing. Founded in 1870 as Buchtel College, the institution later transferred its assets to the city of Akron to become the non-sectarian Municipal University of Akron (1913) and became affiliated with the North Central Association (1914). In 1967 it became the University of Akron, a "state-assisted and Legislatively Chartered" university, one of thirteen four-year and higher post-secondary public institutions in Ohio.

For purposes of the current report, this section describes various UA governance bodies and influences as contributing to the context for the focused visit on shared institutional governance.

UA is governed by an eleven-member Board of Trustees appointed by the governor; the Trustees select and appoint the president, set the operational budget, approve personnel appointments, grant degrees, establish tuition and fee rates, and approve contracts, rules, regulations, new programs and degrees. The university has an elected Faculty Senate, comprised predominantly of members of the faculty (52 seats available), but which also includes a limited number of representatives from the part-time faculty (2 elected), contract professionals (2 elected), students (2 appointed, 1 elected), staff employee advisory committee (2 elected), and former faculty who are members of the association of UA retirees (2 elected). Two student organizations (the Associated Student Government and Graduate Student Government) provide a line of communication between students and university administration. The Staff Employee Advisory and the Contract Professional Advisory Committees

allow non-faculty employees to advise campus leaders regarding issues important to them.

Shortly before the last comprehensive visit, the UA faculty had certified the AAUP to serve as the bargaining agent for the faculty. In an effort to "conform the University decision-making process on matters that are either permissive or mandatory collective-bargaining subjects to the single process authorized by law", as certified in the collective bargaining agreement (August 2003 Board Actions), the University of Akron Board of Trustees invoked significant changes to the role of the Faculty Senate and modified university rules related to that role. Since that time, the first faculty contract has been negotiated and implemented, and the university has been adjusting to the new governance environment.

D. Unique Aspects of Visit

A site-validation visit to the Medina County University Center, located in Medina, OH, coincided with this visit.

E. Interactions with Organizational Constituencies

Meetings were held with the following individuals and groups:

Related to the Self-study:
NCA Committee co-chairs
Sixteen members of the self-study "writing" committee
Thirteen representatives of the "Case Studies" presented in the self-study

Campus Leaders:
President
Provost
Vice President - Information Technology
Vice President – Finance and Administration (Chief Financial Officer)
Vice President – Capital Planning
Vice President – Student Affairs
Vice President – General Counsel
Vice President – Chief of Staff
Vice President – Research
Vice President – Public Affairs
Deans of: Wayne College, Fine and Applied Arts, Honors College, University Libraries, Business Administration, Engineering, Polymer Science & Engineering, Nursing, Education, University College, Summit College, Buchtel College of Arts and Science, Law
Sixteen Department Chairs, representing programs in the fine arts and humanities, social and behavioral sciences, physical sciences, and professional/clinical practice areas

Governance/Leadership Groups:
Three members of the Board of Trustees, including Chair and Vice Chair
Secretary of the Board of Trustees
Executive Committee of the Faculty Senate
Three representatives of student government (undergraduate and graduate)

Thirteen members of the Contract Professional Advisory Committee, including the committee chair
Nine members of the Staff Employee Advisory Committee
Eight members of the Akron-AAUP Executive Committee

Other:
Sixteen individuals attended an open forum. These individuals included six professors, six associate professors, two instructors, and two unit directors

F. Principal Documents, Materials, and Web Pages Reviewed

Report of a Comprehensive Visit to the University of Akron, November 21, 2003
Focused Visit Materials – "Institutional response/Demonstration of compliance with Criterion Two & Criterion Five & Noted Concerns, as recommended in the comprehensive visit report November 21, 2003"
Case studies and background materials were supplied online, in a Windows SharePoint site ("NCA Focus Visit 2008", https://sharepoint.uanet.edu/provost/NCA/default.aspx).
The Case Studies addressed the following topics:

A. Formation of the Integrated Bioscience Ph.D. Program
B. Reorganization Discussions Between the College of Fine and Applied Arts and the College of Nursing
C. University Council Exploratory Committee
D. The Academic Plan
E. The AAUP Contract and Implementation
F. The First Year Experience Task Force and the Student Success and Retention Committee
G. The Operations Advisory Committee
H. Academic Alignment

Websites and documents related to the case studies were also reviewed. Among those that contributed to the team's reflections were:

"Quick Facts": http://www.uakron.edu/ir/QuickFacts.php
AAUP Policy Statement on Academic Government
Academic Alignment Project:
http://www.uakron.edu/provost/alignment.php
Akron-AAUP: http://www.akronaaup.org/ , including the newsletter article describing the April 2008 resolution/communiqué to the HLC (http://www.akronaaup.org/general/April2008.htm)
Associated Student Government: http://www2.uakron.edu/asg/
Collective Bargaining Agreement between the University of Akron and the AAUP University of Akron Chapter (December 6, 2005 – December 15, 2009)
Contract Professional Advisory Committee website:
http://www.uakron.edu/cpac/index.php
Office of the Faculty Senate:
http://www.uakron.edu/president/facultySenate/
Staff Employees Advisory Committee website:
http://www.uakron.edu/seac/index.php
Summary of AAUP Grievances and their Resolution

University of Akron Board of Trustees, records of meetings and actions: http://www.uakron.edu/bot/resources/boardactions.php
University Council Exploratory Committee - http://www.uakron.edu/provost/UCEC.php

Additional documents provided by participants in various meetings:

AAUP Faculty Senate Document 3359-10-02, Section (H)(1), regarding eligibility for membership
AAUP Faculty Senate Resolution, November 8, 2007, providing feedback to the University Council Exploratory Committee
AAUP Faculty Senate Resolution, April 3, 2008, addressing Higher Learning Commission
Results of a survey of faculty engagement
Documents related to Contract Professional Advisory Committee, including membership list, meeting minutes, newsletters, by-laws

II. AREA(S) OF FOCUS

A-1. Statement of Focus: Shared Institutional Governance

In the report of the most recent comprehensive visit to the institution (April 27-30, 2003), the team's responses to Criteria Two and Five recommended commission follow-up, stating that "the role of faculty in shared institutional governance is uncertain based on the recent creation of a collective bargaining unit for faculty". The rationale for expectations related to the prescribed focused visit state that "because of the uncertainty of the outcome of the contract negotiations for the new faculty collective bargaining unit, a focused visit is recommended to assess the nature of the relationship and roles of faculty in shared institutional governance."

During the April 2008 visit, meetings with institutional representatives were conducted in light of this emphasis on shared institutional governance, with the intention of enhancing the team's understanding of the degree to which the institution had achieved a greater measure of certainty regarding the role of collective bargaining on campus, the relationship and roles of faculty in shared governance, and the means by which various institutional constituencies work collectively toward realizing an ideal of shared responsibility for institutional decision-making. In addition to responding to concerns and updating information originally presented in the 2003 Self-Study, the institutional self study presented several case studies designed to illustrate shared decision-making in action. The team found these case studies to be useful representations of specific projects that provided a foundation for the observations shared in the next section. Extensive discussion with members of the University of Akron community who participated in these projects or hold a stake in their outcomes confirmed the value of each of the case studies as examples of evidence of progress in the area of focus.

B-1. Statements of Evidence

- **Evidence that demonstrates adequate progress in the area of focus.**

- The groups of institutional representatives with whom the team met – from students to trustees - revealed a shared commitment to a consistent set of fundamental values that promote conversation on issues of importance to the institution. These individuals expressed the shared goals of maintaining the quality of the university, having a positive effect on students, and contributing to the welfare of the state of Ohio. This shared value for and commitment to the university and its mission validates information provided in the case studies describing the university's proactive response to various external pressures (e.g., the proposed ten-year plan by the Governor and Chancellor to develop a University System of Ohio, the call for innovative programs emphasizing collaboration among Northeastern Ohio institutions). (*The Criteria for Accreditation*, Criterion 1 (Mission and Integrity), Core Component 1c.)

- The decision to engage in collective bargaining significantly affected shared institutional governance at the University. For example, in anticipation of the role collective bargaining would play in institutional decision-making, the Board of Trustees invoked changes in the authority of the Faculty Senate, e.g., eliminating Senate committees for Planning and Budgeting and for Campus Facilities Planning, revoking Senate participation in construction of the athletic budget and in approving the academic calendar. UA leaders nonetheless recognized that decision-making in these areas (and others) benefits from a broad and consultative process, and sought to create new structures that would include a faculty voice. The Provost convened the Operations Advisory Committee (OAC) to restore a role in operational decision-making to the faculty and to extend that role to other university constituencies. The OAC plays an integral role in budget planning, decisions regarding space allocation and utilization, campus law enforcement, parking, the University stadium proposal, student fees, and tuition. Although it is not an elected body, membership of the OAC is diverse and representative, and the committee serves as a forum for communication between campus constituencies and the administration. (Core Component 1d.)

- Since 2002, the university has been re-examining the concept of "shared governance", and in its last self-study, redefined this concept as one of "shared leadership." A task force consisting of a group of UA employees representing various institutional constituencies was convened to study this topic; that group submitted a report that led to further study by a Faculty Senate ad hoc committee and, ultimately, to a proposal to create a new University Council. The team found the proposed creation of a representative and elected University Council is regarded as a positive development that promises to restore to the faculty some degree of decision-making authority in realms in which the faculty had previously held responsibility. At the time of the visit, the Faculty Senate had received the proposal to create the Council, and had recommended development of by-laws to govern its activities. This progress suggests that the university's constituencies are able to engage in meaningful discussion of shared responsibility for decision-making and institutional leadership. (Core Component 1d.)

- Although faculty collective bargaining was new to the university in 2003, the faculty and the administration have successfully reached an agreement, approving the first contract at the end of 2005 following 26 months of negotiations. That contract has been implemented, and negotiations for the next contract are expected by some of the groups and people with whom the team met to begin within the next year or so.

- **Evidence that demonstrates that further organizational attention is required in the area of focus.**

  - Although the 2005 collective bargaining agreement itself is comprehensive, in the course of implementing that contract, it has been found to be less clear in its language on certain issues than originally thought. Disagreements, threatened arbitration, and grievances (settled through mediation) have in some instances characterized the institution's journey through this endeavor. Several signs suggest that these may be abating: biweekly meetings of representatives of the university administration and the Akron-AAUP are facilitating more open and transparent direct communications when concerns require resolution, and the case studies demonstrate mutual cooperation between the university administration and the Akron-AAUP that brought results that advanced the collective interests of the whole institution. Collegial, effective, and transparent communication continue to be a concern, particularly as the institution approaches the renewal period for the contract; it is to be hoped that both parties may evaluate the merits and flaws of the current contract and work together to develop a more effective document. (Core Component 1c, 1d.)

  - Significant challenges remain. Noteworthy are the as-yet-unfinished faculty-generated retention/tenure/promotion guidelines and chair review guidelines. Progress on these documents seems to be hampered by unclear communication regarding expectations about document contents; "turnaround time" for administrative review, comment, and response to review; and in the cycle (and number of cycles) undertaken for revision. Empowered by the contract to construct these guidelines, the faculty is in a position to have an effective voice in decisions affecting its members' professional well-being with regard to evaluation and advancement. However, uncertainty remains with regard to the timeliness with which the institution will complete this work. (Core Component 1d, 2d.)

  - As noted above, the OAC is not a body of elected representatives, and membership of and charge to the OAC is determined solely by the administration. Although the processes for determining membership now includes solicitation of membership nominations from various groups and bodies, the faculty regards the "hand selection" of OAC members by the administration as a violation of the principle of elected representational shared governance. Some faculty also observed that addressing certain issues requires the continued attention of long-term, standing committees, rather than committees convened only when a particular or urgent need arises. The development of an elected University Council is likely to alleviate

these concerns; however, at the time of this visit, the Council had not yet been created, nor did its creation appear to be both certain and imminent. (Core Component 1d.)

- **Evidence that demonstrates that further organizational attention and Commission follow-up are required.**
    - Although UA has taken promising steps to resolve the uncertainty surrounding shared institutional governance (or "shared leadership") which was discerned but not explicated at the time of the last comprehensive visit, uncertainty persists. The proposal to establish a University Council has not yet been approved; the University Council Exploratory Committee has not yet developed – nor have various constituency groups approved – operational guidelines/by-laws for the proposed University Council. Although the Council shows promise for the enhancement of the relationship between administration, faculty, staff and students for communication and for joint planning and effort, that promise has not been realized. This ongoing uncertainty has an impact on the extent to which the institution may be understood to have fulfilled core component 1d, which focuses on "governance administrative structures that promote effective leadership and support collaborative processes". In addition, the uncertainty regarding governance and collaborative processes has direct relationship to Core Components 1c and 2d which address the pervasiveness of understanding of and support for institutional mission (1c) and planning processes that align with and support that mission (2d).
- **Evidence is insufficient and demonstrates that Commission sanction is warranted.**
    - None noted.

C. Other Accreditation Issues

The team conducted a brief site validation visit to the Medina County University Center, located in Medina, OH. A separate site validation report has been filed regarding that visit.

D. Recommendation of Team

- Evidence demonstrated. Commission follow-up recommended.

  Progress Report on Shared Institutional Governance due by March 30, 2011.

E. Rationale for the Team Recommendation

The team finds that the institution has demonstrated that its members have a shared interest in developing effective communication between various institutional groups and constituencies. The team believes that the institution's members (administrative, faculty, and staff) have the capacity to develop that interest into an effective strategy for achieving governance processes necessary for effective and collaborative institutional administration. Yet there remains a need to develop structures and processes that support systematic and sustainable shared governance that includes faculty. At the time of this visit, there were promising but as-yet-unrealized signs that such processes can be developed.

Team members note that continued progress in addressing these issues may play a role in the institution's next comprehensive visit, and specifically, in fulfillment of Criterion One and Core Component 1d, which states that "*The organization's governance and administrative structures promote effective leadership and support collaborative processes that enable the organization to fulfill its mission.*" Both to ensure continued progress on this issue so critical to the life of the institution, and to help the institution prepare for its next comprehensive review, we recommend that the University submit to the Higher Learning Commission a progress report on shared institutional governance.

III. STATEMENT OF AFFILIATION STATUS

No Change

Affiliation Status: Member (1914 -)

Nature of Organization -No Change

Legal status No Change

Degrees awarded No Change

Conditions of Affiliation No Change

Stipulation on affiliation status No Change

Approval of degree sites No Change

Approval of distance education degree No Change

Reports required

Progress Report

Topic(s) and Due Date: Shared institutional governance, due March 30, 2011

Rationale and Expectations:

The University of Akron is asked to submit to the Commission a progress report on shared institutional governance, which the institution may prefer to call "shared leadership". In either case, the report should focus on the means by which the university promotes shared responsibility for systematic and collaborative consultation in the course of institutional decision-making, in ways that are appropriate to and established by the mutual consent of institutional constituencies. The report should describe: changes in governance processes and structures since this focused visit; institutional processes and structures for shared governance/ leadership; and examples of how these processes and structures contribute to meaningful institutional decision-making.

"Progress" achieved will be evaluated in terms of (1) the degree to which the institution has established and implemented processes and structures according to its definition of "shared leadership", (2) the breadth of inclusiveness with which these processes and structures involve and engage institutional constituencies, (3) the significance of their impact on the institution's ability to fulfill its mission, and (4) their stability and sustainability as critical components of the institution's capacity to respond to future challenges and opportunities.

Summary of Commission Review

Year for next comprehensive evaluation: No Change