MEMORANDUM

TO:     The Educational Policy Committee:

Stephen P. Long, M.D., Chair
Frank B. Atkinson
A. Macdonald Caputo
Hunter E. Craig
Allison Cryor DiNardo
Randal J. Kirk
George Keith Martin
Linwood H. Rose
Hillary A. Hurd
Helen E. Dragas, Ex Officio
Robert S. Kemp, Consulting Member

and

The Remaining Members and Senior Advisors of the Board:

The Hon. Alan A. Diamonstein       Edward D. Miller, M.D.
Marvin W. Gilliam Jr.               John L. Nau III
Victoria D. Harker                  Timothy B. Robertson
Bobbie G. Kilberg                   William H. Goodwin Jr.

FROM:        Susan G. Harris

SUBJECT:     Minutes of the Meeting of the Educational Policy
             Committee on September 13, 2012

The Educational Policy Committee of the Board of Visitors of the
University of Virginia met, in Open Session, at 2:10 p.m., on
Thursday, September 13, 2012, in the Small Auditorium of the Harrison
Institute; Stephen P. Long, M.D., Chair, presided.

Frank B. Atkinson, A. Macdonald Caputo, Hunter E. Craig, Ms.
Allison Cryor DiNardo, George Keith Martin, Linwood H. Rose, Ms.
Hillary A. Hurd, and Ms. Helen E. Dragas, Rector, were present.

Also present were Marvin W. Gilliam Jr., Ms. Victoria D. Harker,
Ms. Bobbie G. Kilberg, Vincent J. Mastracco Jr., Edward D. Miller,
M.D., Timothy B. Robertson, William H. Goodwin Jr., and Leonard W.
Sandridge Jr.
The Consulting Member from the Faculty Senate, Mr. Robert S. Kemp, did not attend. Mr. George M. Cohen came in his place.


Ms. Josipa Roksa was also in attendance as a presenter.

Dr. Long welcomed everyone and said that he would like to engage the Board in discussion and dialogue rather than give reports. He also spoke about committee plans for the upcoming year.

Consent Item: Program Closure: M.A. in Bioethics

Dr. Long introduced John D. Simon, Executive Vice President and Provost, to present the consent agenda item. The State Council of Higher Education has recommended in its periodic program productivity and viability review of degree programs the discontinuation of the M.A. in Bioethics. There are currently no students enrolled in the program. Mr. Simon recommended the discontinuation of the M.A. in Bioethics program, effective January 1, 2013.

On motion, the committee approved the following resolution and recommended it for approval by the full Board:

APPROVAL TO DISCONTINUE THE M.A. IN BIOETHICS

RESOLVED, after review by the University, the State Council of Higher Education for Virginia, and the Faculty Senate, the M.A. in Bioethics, in the Graduate School of Arts and Sciences, shall be discontinued because it is no longer viable.

Action Item: Establishment of Professorship in the School of Architecture

Mr. Simon turned the floor over to President Teresa Sullivan to describe the establishment of a new professorship in the School of Architecture. Ms. Sullivan said that the design of effective, ecological, and economically feasible environments for human health is a new field where the University could soon become a national leader. Anonymous donors have provided funds to establish a professorship to
provide the intellectual leadership for the Center for Design and Health in the School of Architecture.

On motion, the committee approved the following resolution and recommended it for approval by the full Board:

APPROVAL TO ESTABLISH THE MARY IRENE DESHONG PROFESSORSHIP IN DESIGN AND HEALTH

WHEREAS, the design of effective, just, and economically feasible environments for human health is still a new frontier and a critical one for our nation and the world; and

WHEREAS, The Center for Design and Health in the School of Architecture is the only research center in the United States that focuses on a variety of health issues across a wide range of scales, including housing, neighborhoods, communities, cities, and regions as well as the design and planning of patient-centered healthcare facilities, healing gardens and learning centers; and

WHEREAS, donors who wish to remain anonymous have come forward to fund a distinguished professorship in the field of design and health with the expectation of attracting a scholar and practitioner who values design solutions that create effective and economically feasible environments for human health by synthesizing the art of design with the evidence-based perspective of scientific inquiry; and

WHEREAS, the professor shall be a nationally or internationally-recognized thought leader, academician, or practitioner, who may direct and shall provide intellectual leadership for the Center for Design and Health, build partnerships across disciplines with leading practitioners, government policy-makers, and fellow academics at the highest levels, and establish a new curriculum in design and health at the University; and

WHEREAS, the professorship honors the distinguished career of Mary Irene DeShong in public education as an outstanding teacher and elementary school principal;

RESOLVED, the Board of Visitors establishes the Mary Irene DeShong Professorship in Design and Health at the School of Architecture, to attract and retain scholars of special eminence in the field of design and health; and

RESOLVED FURTHER, the Board, the University, and the School of Architecture express their deep gratitude to the donors for their generous support of the School of Architecture.
Faculty Senate Report

Provost Simon introduced the chair of the Faculty Senate, George M. Cohen. Mr. Cohen’s statement is reproduced verbatim:

I appreciate the opportunity once again to address the Board on behalf of the Faculty Senate. When I last spoke to you, in May, we were all in a very different place, not only physically, but in many other ways. I do not need to recount what has happened since then. The question is, where are we now, and where are we headed?

My understanding is that the Board as a group believes that for all practical purposes we are where we were on June 9. We have just pressed the reset button. President Sullivan is back, the Board is behind her, and they are ready to work together. Having achieved our goal, the faculty should be ready to abandon our no-confidence vote from June and affirm our confidence in the Board. Not to do so seems ungrateful and uncooperative, and potentially harmful to the University. Let me say up front and most emphatically that the faculty is extremely appreciative of the courage and good judgment the Board demonstrated by reinstating President Sullivan. I pledge to do all I can as Chair of the Senate to ensure that the faculty offer the Board our full cooperation and that we do our best to act in the best interests of the University. Nevertheless, my sense of the faculty is that we are in a different place than the Board and that if I put before the Faculty Senate today a vote of confidence in the Board, it would not pass. Although we are as eager as you are to put this matter behind us and see trust restored, we are not there yet. I believe I owe you an explanation for this view, which I will try to provide as straightforwardly, candidly, and respectfully as I can.

At the outset, whatever we might wish to be the case, the simple fact is that this crisis has not gone away, even apart from anything the faculty has done or continues to do. Just this week, a new article from the Sunday New York Times Magazine appeared online. New emails disclosed pursuant to the ongoing Freedom of Information Act (FOIA) requests were published. We are under investigation by our accrediting agency, Southern Association of Colleges and Schools (SACS), and the American Association of University Professors (AAUP). Alumni continue to be frustrated and upset. State legislators are considering a variety of possible actions. Many eyes are watching us.

To date, the Board has not provided a clear and satisfactory explanation to the University community of why it asked President Sullivan to resign. Yesterday at the Miller Center, President Sullivan stated that she still does not understand what the “philosophical differences” were between her
and the Board. Why does this matter? Because the “reset” view is a fantasy: the Board and President Sullivan were in fact not united on June 9 but had differences that were great enough to motivate the Board to take drastic action. A true reset is therefore possible only if those differences have been resolved in a mutually acceptable way. But we are not clear what the differences were, so how can we know if they have been resolved? And if they have not been resolved, how can we have confidence that the Board and President Sullivan can work effectively together?

During the crisis, the concern most frequently and prominently mentioned was the absence of a strategic plan for the University, in particular a strategic plan that was bold rather than incremental. At the reinstatement meeting, the Rector stated: “Prior to these events, there seemed to be a roadblock between the Board’s sense of urgency around our future in a number of critical areas, and the Administration’s response to that urgency. Also, many of our concerns about the direction of the University remained unknown to all but a few.”

These contentions raise a number of concerns. First, when President Sullivan arrived here she said that she was told not to do another strategic plan, but rather to implement the plans that had been developed. (Sullivan May memo.) If circumstances changed after that, creating a new sense of urgency, why did the Board not publicly discuss these changes or the need for a new strategic plan? Why did the Board not formally request a new strategic plan as it did for the Medical Center and as it has now done with the formation of the new committee? Second, the suggestion that President Sullivan was putting up a “roadblock” to the Board’s goal of an effective strategic plan is in some tension with the fact that President Sullivan wrote a memo on this very topic and sent it to the Rector and Vice Rector in May. The New York Times Magazine article says this memo was “disappointing.” Is that the Board’s view? If so, why? We do not know. Third, when faculty learned of the Board’s desire for “bold” rather than “incremental” change and the need for speedy action, we were naturally concerned about excessive Board control over the strategic planning process. After all, faculty input and buy-in, both of which are necessary if strategic planning is to succeed, could potentially result in incremental change as well as a slower pace.

Since the reinstatement, the Board has created a special committee on Strategic Planning, which is meeting tomorrow. The Board discussed this committee and its work at its retreat in August. The committee is headed by two new Board members with extensive experience in planning efforts, Linwood Rose and Frank Atkinson. These co-chairs have written a letter outlining an approach to strategic planning that includes a strong role for
faculty and the Faculty Senate and appropriately recognizes the primary responsibility of the faculty and administration in planning efforts. The co-chairs also participated in a working session called by President Sullivan, which I attended, and which addressed a number of issues including the problems with past strategic efforts. We applaud all of these developments and the Faculty Senate stands ready to participate fully and productively in the strategic planning effort.

Nevertheless, questions remain. Before the Board’s retreat, the Provost and Deans wrote a detailed letter to the Board outlining their approach to strategic planning. Yet, like President Sullivan’s May memo on which it builds, the Provost-Dean letter was not discussed at the retreat or mentioned in the Atkinson-Rose letter. What are we to make of these omissions? Just yesterday, President Sullivan reiterated her view that the University is not in crisis by any measure and has proudly declared herself to be an unrepentant incrementalist, while the New York Times Magazine article reports that the Rector still “feels her warnings of an existential crisis will be vindicated.” Will the Board reject a strategic plan if it is excessively “incrementalist” rather than “bold?” It could be, of course, that these issues are minor, never really amounted to much, will be addressed and adequately debated during the planning process, or have been resolved. But at this point, it is hard to know.

In addition to the lack of information about why the Board made its initial judgment to seek President Sullivan’s resignation and then changed course, there remain concerns about how the Board reached its initial decision. The process leading to the decision appears to have involved inadequate communication between the Board and President Sullivan, inadequate communication among Board members, and inadequate consultation with University constituent groups including faculty. As for Board-President communication, President Sullivan has said that she had no idea that the Board was going to ask her to resign. That should not happen. Although the Rector has stated (June 14, 2012) that “there was an ongoing dialogue with the President over an extended period of time,” that is not the same thing as giving the president fair warning that her job would be in jeopardy if agreed-upon goals were not met by a certain time.

What about intra-Board communication? The Rector publicly acknowledged at the reinstatement meeting that the Board “breached the trust of the institution by not having a publicly noticed meeting to discuss a matter of such importance.” But one Board member (Mr. Mastracco) has recently stated that the Board never at any meeting held a discussion about President Sullivan’s performance. Why not?

Finally, with respect to Board-Faculty communication, the
Board’s position is apparently that the faculty have no role to play in evaluating the president for possible termination, non-renewal, or reappointment. For example, the Rector in her June 14 statement endorsed the “central role of faculty governance in matters of academic programming and curriculum,” omitting any mention of faculty consultation on presidential review or retention decisions. This despite the fact that the AAUP Guidelines require faculty consultation in these situations.

In light of these concerns, the Faculty Senate wrote to the Board in advance of the retreat, asking the Board to consider a self-assessment. We hoped that the Board would take the opportunity to discuss the flaws in the process and potential changes to the Board manual or other Board policies concerning the appropriate process for reviewing and terminating or declining to renew presidents, as Heywood Fralin suggested at the reinstatement meeting. These changes could include the proper role of the Rector and Executive Committee, guidelines on compliance with the Open Meeting law and when individual Board member conversations are appropriate, clarification on when full Board meetings are required, and the need for consulting faculty and other University constituents. Unfortunately, the Board did not respond to our letter, despite assurance from the Rector that we would get a response. Moreover, in the public session of the Board retreat addressing governance, which I attended, I heard not one word about any of these issues. Perhaps they came up in the closed session. Perhaps the Board’s new Governance and Engagement Committee will address these issues. I hope so. But we must wait and see.

I want to close with a few words about Faculty-Board relations. Despite all I have said, I want to reiterate in the strongest possible terms that the Faculty Senate is committed to moving forward and to reconciliation. We will work in partnership with both the administration and the Board to make meaningful progress toward meeting our many challenges. To that end, I have met with or had phone conversations with Rector Dragas, Stephen Long, George Martin, Hunter Craig, and Hillary Hurd. These conversations were productive and cordial, and I hope and expect to have further conversations with these and other Board members in the coming year. The Rector mentioned to me the possibility that she or other Board members might participate in one of our meetings this year and several faculty members have conveyed the same wish. Perhaps at such a meeting, some of the concerns I have outlined here could be addressed and finally put to bed. We look forward to the day when not only our beloved Rotunda, but trust between faculty and Board is fully restored, and I hope with all my heart that day comes soon. The future of the University depends on it.
Report on Academic Assessment

Provost Simon introduced Ms. Josipa Roksa, Associate Professor of Sociology and Education and Associate Director of the Center for Advanced Study of Teaching and Learning in Higher Education (CASTL-HE). The future of higher education involves academic assessment, which leads to two questions: What knowledge, skills and dispositions should students develop in higher education, and how do we know when we have achieved those goals? The Institutional Assessment and Studies Office has conducted student surveys, helped with school and department reviews, and looked at SCHEV competencies (assessment of writing, quantitative reasoning, scientific reasoning, oral communication, critical thinking, and undergraduate research), to try to measure UVA's success. CASTL-HE has focused on evaluating effects of various student experiences on student learning by evaluating courses, specific practices within courses, out-of-class experiences, and new on-line courses. Ms. Roksa led the committee through an exercise in answering the questions posed.

Report on Sponsored Research

Provost Simon introduced Mr. Thomas C. Skalak, Vice President for Research and Graduate Studies, to talk about sponsored research.

Mr. Skalak said research is one of the primary "purposes for being" as a University. Research creates new knowledge in all fields, is important to the student experience, and inspires capable partners to join the University. Investing in research is an investment worth making.

Mr. Skalak highlighted the importance of the competitive nature of the University's faculty in acquiring federal research funding. The University's federal funding expenditures are 8.7 times the combined state and institutional research expenditures.

The research enterprise provides immersion in research-based education for students of all levels. Currently, about 64% of undergraduate students engage in some form of research or inquiry during their University education. To fulfill the University's vision to be the "global ideal in research-based education", however, the University seeks to provide every student with a research experience.

Mr. Skalak asked two questions for discussion:

1. Given the UVA vision of being the global ideal in research-based education, how can we increase the level of local and state investment in research activities to provide an inquiry based hands-on learning experience for all students?
2. How can the Board of Visitors help the University to develop the external partners needed to address new initiatives, enhancing the research enterprise?

Mr. Skalak addressed concerns about NIH funding. For instance, Michigan has substantially more state and local investment to "prime the pump". Even though the level of funding is consistent, different faculty and research programs are being funded. There are initiatives moving forward to attract more funding, including Board of Visitors initiatives in hiring established "stars". The question is how to make the entire cohort of faculty engage in attracting research funding. Margaret Shupnik addressed NIH funding, and pointed out a few areas where the University could make significant impact and growth. Hiring and retention will play a critical role in improving clinical research, and in order to develop clinical research the University will need to make a significant investment in infrastructure. The Rector asked for information to be provided to the Board about trends and peer analysis in a more intellectually rigorous way, with specific goals and aspirations. The chair said they planned to create a dashboard for the committee. Mr. Skalak pointed to documents in the committee materials that contain a comprehensive list of returns on research investment, and a report on pan-university collaborative initiatives. Dr. DeKosky said an analysis of NIH-only research showed the University had 25% of its grants in clinical research and 75% in basic research. Basic research grants tend to be significantly smaller than clinical research grants. He said that we will need to build the infrastructure to do more clinical research and we are doing that now, but it cannot be done overnight. The University has a superb group of basic researchers that we do not want to lose in the process.

On motion, the meeting was adjourned at 3:45 p.m.

SGH:lah
These minutes have been posted to the University of Virginia’s Board of Visitors website.
http://www.virginia.edu/bov/educationalminutes.html