Dr. Teresa A. Sullivan  
President  
University of Virginia  
P. O. Box 400224  
1827 University Avenue  
Charlottesville, VA 22904-4224

Dear Dr. Sullivan:

Thank you again for the hospitality and helpfulness extended to the Special Committee during its visit to your institution on September 16-18, 2013. Enclosed is the final report prepared by the Committee.

The report represents the professional judgment of the Special Committee made in accordance with the *Principles of Accreditation: Foundations for Quality Enhancement* and subject to review by the Commission on Colleges and its standing review committees—the Committees on Compliance and Reports. Some parts of the report are directly related to the requirements of the *Principles*, while others may represent advisory comments offered by the visiting committee in a spirit of helpfulness. A formal recommendation is included when a visiting committee judges that the institution *is* not in full compliance with a section of the *Principles*. All recommendations included in a visiting committee report have been adopted by the total committee and require an institutional response. Your report includes no recommendations.

The report of the committee that visited your institution will be reviewed by the Commission on Colleges during its meeting in December 2013.

The Commission on Colleges endeavors to maintain a cooperative and constructive relationship with officials in system and state offices. However, because of the institutional nature of the accreditation process, it is preferable that these committee reports be furnished to the system or state offices by the institution rather than directly by the Commission office. Therefore, you will also find enclosed a second copy of the report.

An institution may publicly release its visiting committee report; however, release of this report in its entirety or in part must be accompanied by the following statement: “The findings of this visiting committee represent a preliminary assessment of the institution at this time; final action on the report rests with the Commission on Colleges.” If the institution releases part of its report, that part must contain a note stating: “A copy of the entire report can be obtained from the institution.”
Dr. Teresa A. Sullivan
October 29, 2013
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Please express my sincere appreciation to all members of your faculty and staff for their cooperation and assistance during the review process.

Sincerely,

Mark V. Smith
Vice President

MVS:ktf

Enclosures
REPORT OF THE SPECIAL COMMITTEE

Statement Regarding the Report

The Commission on Colleges will make its determination on the accreditation of an institution based on the findings contained in this committee report, the institution’s response to issues contained in the report, other assessments relevant to the review, and application of the Commission’s policies and procedures. Final interpretation of the Principles of Accreditation and final action on the accreditation status of the institution rest with the Commission on Colleges.

Name of the Institution: The University of Virginia
Charlottesville, Virginia

Date of the Review: September 16-18, 2013

COC Staff Member: Dr. Mark V. Smith

Chair of the Committee: James F. Barker, President
Clemson University
Clemson, South Carolina
Part I. Overview and Introduction to the Institution:

The University of Virginia was placed on Warning for twelve months by the SACS Commission on Colleges Board of Trustees at its December 2012 meeting. The Board also authorized a Special Committee visit and requested that the institution submit a Monitoring Report four weeks in advance of the visit. These actions resulted from a review of a special report on governance after the institution failed to demonstrate compliance with Core Requirement 2.2 Governing Board and Comprehensive Standard 3.7.5 Faculty Role in Governance of the Principles of Accreditation. All of the above followed the events surrounding the resignation and subsequent reinstatement of President Teresa Sullivan during the summer of 2012.

This report represents the consensus findings of the four-person Special Committee which visited the institution September 16-18, 2013. The visit consisted of a series of scheduled meetings with members of the Board of Visitors (past and present), President Sullivan, Senior Staff, Vice Presidents, and members of the Faculty Senate. The visit was characterized by open and frank discussion. In addition, university personnel were most accommodating to committee requests during the visit.

Part II. Assessment of Compliance

A. Assessment of Compliance with Section 1: The Principle of Integrity

1.1 The institution operates with integrity in all matters. (Integrity)

   The committee did not note any issues with lack of integrity.

B. Assessment of Compliance with Section 2: Core Requirements

2.2 The institution has a governing board of at least five members that is the legal body with specific authority over the institution. The board is an active policy-making body for the institution and is ultimately responsible for ensuring that the financial resources of the institution are adequate to provide a sound educational program. The board is not controlled by a minority of board members or by organizations or interests separate from it. Both the presiding officer of the board
and a majority of other voting members of the board are free of any contractual, employment, or personal or familial financial interest in the institution.

A military institution authorized and operated by the federal government to award degrees has a public board on which both the presiding officer and a majority of the other members are neither civilian employees of the military nor active/retired military. The board has broad and significant influence upon the institution’s programs and operations, plays an active role in policy-making, and ensures that the financial resources of the institution are used to provide a sound educational program. The board is not controlled by a minority of board members or by organizations or interests separate from the board except as specified by the authorizing legislation. Both the presiding officer of the board and a majority of other voting board members are free of any contractual, employment, or personal or familial financial interest in the institution. (Governing Board)

The institution was requested to “provide evidence that safeguards are in place that would prevent control of a minority of the board, or by organizations or interests separate from the board.” As a result, the Special Committee reviewed the amendments in the Manual of the Board of Visitors and interviewed numerous members of the university community to determine if the new policies and procedures were being followed.

The committee found that the amendments made in the Manual address the issue of the possibility of minority control and provide reasonable safeguards to prevent such control. Among the noted amendments is Section 4.21 which states:

The President shall be elected by the Board of Visitors. Appointment, removal, requested resignation, or amendment of the contract or terms of employment of the President may be accomplished only by a majority (or, by statute, two-thirds in the case of removal) of the whole number of Visitors at a regular meeting, or special meeting called for this purpose.

The committee also noted other provisions of the Manual which also serve to prevent minority control including powers of the Executive Committee, Conflict of Interest policies, and public, open session voting.

In addition, Board policy was amended to include more specifics regarding the evaluation of the President. The amendment was determined by the Special Committee to provide a process requiring mutually accepted goals and more frequent evaluations.

During the numerous interviews conducted by the Special Committee, it was most obvious that a change in culture had taken place in which the importance of trust among members of the university community had been recognized and that communications were now more open and public. For instance, meetings of the Board of Visitors are now streamed live and the institution’s website contains information regarding Board of Visitor meetings. In addition, the committee noted that board members now felt greater responsibility to be more fully involved and not “just remain on the sidelines.”
Finally, the committee heard members of the board speak to the value of accreditation and that board members are being given more information about regional accreditation during their orientation.

It should also be stated that the Commonwealth of Virginia has changed the Code of Virginia statutes to require an annual evaluation meeting with the president to occur in a closed session and that any change to the president’s employment contract during any such meeting or any other meeting of the board to be made only by a vote of the majority of the board’s members. In addition, all newly-appointed visitors (board members) are required to attend a Commonwealth of Virginia orientation session that addresses responsibilities, ethics, and protocol.

However, while all of the above changes reported were evident to the Special Committee, the committee believes that the true test of the effectiveness of the changes will be whether the changes hold up over an extended period of time. Given the appropriateness of the amendments to the Manual of the Board of Visitors and Board policy as well as the extraordinary dedication of the members of the university, the committee concluded that board policies will be honored, but only time will prove continuous adherence to the policies.

As a result of the above findings, the Special Committee determined that the University of Virginia is in compliance with CR 2.2 Governing Board.

C. Assessment of Compliance with Section 3: Comprehensive Standards

3.7.5 The institution publishes policies on the responsibility and authority of faculty in academic and governance matters. (Faculty role in governance)

The University of Virginia was requested to “demonstrate that it publishes policies on the responsibility and authority of its faculty in academic and governance affairs.” The Special Committee found that the Board policy was amended (May 2013) to better outline the responsibility and authority of the faculty in academic and governance matters. Board policy now includes six areas of responsibility for faculty in governance:

- Establishment and major modifications of existing degree programs
- Conferral of degrees
- Oversight and development of curriculum in individual departments and schools
- Serving as non-voting consulting members on committees of the board
- Serving as members on standing administrative committees of the University
- Providing advice and counsel on academic matters to the Executive Vice PresidentProvost
These roles are published in the institution's Policy Directory, excerpted in the Faculty Handbook, and available on the institution's website. Interviews with members of the Faculty Senate leadership confirm that these responsibilities are known and are clearer than in the past. Overall, it appears to the Special Committee that the new provisions in the Board policy clarifies faculty responsibility in the area of governance.

As a result of the above findings, the Special Committee determined that the University of Virginia is in compliance with CS 3.7.5 Faculty Role in Governance.

D. Assessment of Compliance with Section 4: Federal Requirements

Not applicable to this Special Committee visit.

Part III. Observations and Comments
APPENDIX A

Roster of the Special Committee

James F. Barker, FAIA
President
Clemson University
Clemson, SC

Elaine D. Abell
Attorney-at-Law
Lafayette, LA

Dr. Nancy A. Gutierrez
Dean, College of Arts and Sciences
The University of North Carolina – Charlotte
Charlotte, NC

Dr. Daniel W. Jones
Chancellor
The University of Mississippi
Oxford, MS

SACSCOC Staff Representative
Dr. Mark V. Smith
Vice President
SACSCOC
Decatur, GA
APPENDIX B

Off-Campus Sites or Distance Learning Programs Evaluated as Part of the Special Committee Review

Not applicable to this Special Committee visit.
APPENDIX C

List of Recommendations Cited in the Report of the Special Committee

The Special Committee did not present any recommendations regarding compliance with CR 2.2 Governing Board and CS 3.7.5 Faculty Role in Governance.