

TO: University of Oregon Senate

FROM: Academic Council
Ian F. McNeely (Interim Chair), Paul Engelking, Peter Keyes, Benedict McWhirter, Hal Sadofsky, Gordon Sayre, Gail Unruh, Michal Young

RE: Academic Implications of New Partnership Proposal

DATE: January 24, 2011

SUMMARY

The New Partnership harbors tremendous potential. It would give the UO much-needed financial stability and operational independence while ensuring that it continues to serve the citizens of Oregon as a flagship public research university. The UO Senate should endorse the proposal. It should also remain vigilant so that academic considerations, not political ones, dominate the discussion ahead.

INTRODUCTION

The Academic Council is a new feature of UO's shared governance system, which was revamped in 2010.¹ It reports to the UO Senate and acts as a coordinating center and sounding board on issues that specifically pertain to UO's core mission: academics.

This report, drawn up at the request of the Senate President, advises the UO Senate on the academic implications of President Lariviere's New Partnership proposal.² It complements the recent report of the Senate Budget Committee (SBC), which focused more on its financial implications.³

The SBC report concluded that the New Partnership promises greater financial benefits and more financial security than the current system of biennial appropriations by Oregon's state legislature. That system has been plagued by both short-term volatility and long-term disinvestment. Over the past decade or so, the legislature has been less reliable as a source of funding than an investment-driven endowment would have been, under most scenarios, even in a period bookended by the dot-com bust and the Great Recession.

¹ <http://senate.uoregon.edu/sites/senate.uoregon.edu/files/Constitution20100519.pdf>, pp. 10-11, section 8.1.5. Websites cited in this report were accessible as of January 24, 2011.

² <http://newpartnership.uoregon.edu>. This report analyzes the "White Paper" posted at <http://newpartnership.uoregon.edu/files/2011/01/white-paper-color-revised-jan-11.pdf>. Websites cited in this report were accessible as of January 16, 2011.

³ <http://senate.uoregon.edu/sites/senate.uoregon.edu/files/SBCNewPartRep20101109.pdf>.

The SBC also evaluated the two other components of the New Partnership proposal: governance and accountability. The governance component proposes a division of oversight responsibilities between the State Board and a local UO Board yet to be established. The accountability component would bind the UO to specific outcome-based performance benchmarks set and monitored by the State Board.

Our report picks up where the SBC report left off—but with one caveat. The New Partnership’s treatment of accountability and governance is more schematic than its treatment of financing. Given the current state of the discussion, the Academic Council can only follow the SBC in raising questions worthy of consideration as more specifics emerge on these issues.

ANALYSIS

1. Will the proposed funding model improve UO academically?

Stabilizing the university’s funding stream would have an indirect but highly significant positive impact on its academic mission. It would free the university from fluctuating and declining biennial appropriations, from “rescissions” that claw back money even after it has been appropriated, and from hundreds of legislative line-item appropriations. It would also prevent the state from robbing Peter to pay Paul, as it sometimes does by redirecting a portion of UO student tuition money to fund other state agencies unrelated to education.⁴

Stability, autonomy, and local control of funding would enable the UO to plan for the longer term and allocate its resources according to academic priorities, not the vagaries of budgeting in Salem. Long-term planning is absolutely critical to the academic health and growth of any university. Tenure-track faculty positions, new buildings, library collections, and IT infrastructure, for example, all require stable financial commitments extending over years if not decades. We simply cannot maintain the academic quality of the institution, much less improve it, without stable funding.

2. Will the proposed governance reform improve UO academically?

(a) Local UO Board

The proposed new UO Board promises to be more responsive to the university’s academic needs than the Oregon State Board of Higher Education currently is or can be. State politics and a misplaced notion of equity often conspire to ensure that at the state level, the UO remains

⁴ http://www.ous.edu/news_and_information/files/Governance_FactSheet_v7_11-9-10.pdf.

tethered to the fortunes of the six other state universities. A local UO Board would be dedicated to improving the quality of the UO alone.

Good boards do not generally interfere with the day-to-day teaching and research missions of the universities they govern. Many of them are content to exercise general oversight, hire the university president, and assist with large-scale fundraising efforts. But depending on the institution, boards may enjoy a wide range of substantive powers—over academic programs, degree requirements, admissions standards, tuition, personnel (including faculty), budgets and financing, and real estate. The UO Board would be invested with control over all these matters.⁵ Again, this is not unusual, as many university boards have enjoyed such powers for hundreds of years. Still, as a body constituted essentially from scratch, and lacking its own traditions, any new UO Board should be directed to prioritize the institution’s academic mission, not, for example, its athletic program and facilities. At a minimum, the board must be constrained to respect and uphold the values of academic freedom, including tenure, freedom of research, and freedom of teaching.

To date, campus concern at UO has focused on whether students, faculty, and/or staff would be represented on the UO Board and on whether they would have votes. As the charts in Appendix 1 indicate, it is not all that common for these groups to be represented on the boards of public or private universities as either voting or non-voting members. There is one exception: students *are* typically represented on the boards of public universities, mostly as voting members. In every case, students, faculty, and staff usually serve as token members, *i.e.* the median number from any such group is just one.

These facts suggest that most boards nationwide have little direct contact, whether positively or negatively, with those who actually carry out the core research and teaching mission of universities. A good board can do a great deal to assist this mission from the outside. A bad board could potentially thwart it. One generally has to trust that the people appointed to boards will be smart, dedicated, and well-connected, and eager to leave academic concerns to academic professionals. Evidently this system functions quite well elsewhere, and would be expected to function well here.

(b) State Board

Since the principal power enjoyed by the State Board under the New Partnership would be to monitor new accountability benchmarks, that issue will be treated in the next section.

⁵ The UO Board’s powers are not enumerated in the New Partnership proposal itself, but are detailed in Senate Bill 559, the legislation recently introduced in the Oregon Legislature to enact it. See http://newpartnership.uoregon.edu/files/2011/01/sb0559.intro_.pdf, pp. 4-5, section 7, subsection (1), paragraphs (a), (b), (f), (m), (n), (o), and (p) for its provisions concerning specifically academic matters. For comparative perspective, see the website of the Association of Governing Boards of Colleges and Universities, <http://www.agb.org>.

Otherwise, the main power that would still be vested in the State Board is the authority to approve new degree programs. Part of the rationale for this is to prevent overlap and duplication among Oregon’s public universities—to ensure, for example, that UO does not open an engineering school to compete with Oregon State. Perhaps, however, universities within the state should be free to compete entrepreneurially with each other, just as they already do with universities in other states.

Even if the State Board retains the authority to prevent duplication of programs, it would be a positive step to remove it from reviewing their substantive curricular content, as it currently does. Members of university governing boards may possess little specifically academic expertise, so they should not make decisions about curriculum content. Under the New Partnership, responsibility for reviewing degree programs should be parceled between the UO Board and UO’s internal system of shared governance, giving the former an oversight role and granting to the latter any and all decisions of academic substance.

(c) The OUS governance reform proposal

Concurrently with the rollout of the New Partnership proposal, the Oregon University System (OUS) has made its own proposal to the Oregon Legislature. This proposal would change the OUS from a state agency to a “public university system.”⁶ The thousands of line-item appropriations for higher education would be converted into a single block grant, which is the way Oregon’s K-12 and community college systems are already funded. The State would no longer be able to redirect tuition money into other state agencies. The OUS would be unburdened from a great deal of bureaucratic red tape, giving it more latitude in matters like personnel and procurement. It would also be granted both the authority and the responsibility to produce “measurable education and research outcomes in exchange for funding and flexibility”—in much the same way that New Partnership’s accountability benchmarks would require. It is possible, though not guaranteed, that the OUS would create local boards for individual campuses like UO and devolve some responsibilities down to them. The OUS itself, however, would still retain control over key areas, notably tuition.

Prominent OUS leaders oppose the New Partnership in part for its potential to distract legislators from the pressing concerns of the other state universities.⁷ By contrast, the UO administration views the two plans as complementary.

While the OUS proposal is a step in the right direction, the reforms it envisions are primarily administrative and operational and would do little to arrest or reverse the trend of public

⁶ <http://newpartnership.uoregon.edu/files/2010/12/OUS-Governance-QA1.pdf>.

⁷ Bill Graves, “Oregon State Board of Higher Education opposes University of Oregon’s quest for more autonomy,” *The Oregonian* (December 10, 2010), http://www.oregonlive.com/education/index.ssf/2010/12/oregon_state_board_of_higher_e_1.html.

disinvestment that afflicts higher education in Oregon. The UO would likely do better under the New Partnership.

3. Will the proposed accountability benchmarks improve UO academically?

We live in an age of accountability. Accountability metrics, performance benchmarks, learning assessments, and degree tuning⁸: such terms of art have rapidly gained currency in policymaking circles even if they remain alien to many university-level academic professionals. These and other quality control and standardization measures are likely to play an ever-expanding role in American higher education in the coming decades. The *Chronicle of Higher Education*, the nation's leading publication on colleges and universities, already devotes systematic attention to this trend in its "Measuring Stick" series of articles and elsewhere in its pages.⁹

In the future, universities will have to measure things in order to justify them. The UO is already moving to assess outcomes in majors, which is becoming standard practice in accredited institutions. But many worry that educational accountability regimes will force us to measure things we cannot or should not measure. The No Child Left Behind Act subjected America's K-12 school systems to various performance benchmarks that have been expensive and time-consuming to implement but were embarked upon without much scholarly evidence of their utility. Despite this dubious success, similar forms of oversight—including standardized testing of college-level learning—are rapidly gaining ground in U.S. higher education.¹⁰ British universities have already suffered greatly under "Research Assessment Exercises" in the opinion of many informed observers. These exercises measure the quality of scholarly publications at such institutions as Oxford and Cambridge using a variety of KPIs (Key Performance Indicators), a statistical methodology imported from U.S. business schools and management consultancies.¹¹

In a speech to the UO Senate on May 12, 2010, President Lariviere attempted to allay these types of concerns, stating that

I don't really think that the state is likely to come up with silly metrics. And anything that's not silly, we're already measuring ourselves six ways from Sunday. It's more about shifting

⁸ Sara Hebel, "States Seek Ways to Take Measure of College Degrees," *The Chronicle of Higher Education* (November 28, 2010), <http://chronicle.com/article/Refining-the-Recipe-for-a/125545>.

⁹ <http://chronicle.com/section/Measuring-Stick/467>.

¹⁰ Dated now, but still informative, is Doug Lederman, "No College Left Behind?" *Inside Higher Ed* (February 15, 2006), <http://www.insidehighered.com/news/2006/02/15/testing>. The Collegiate Learning Assessment is an example of a standardized test gaining ground in U.S. colleges and universities. More timely is the severe critique, released in January 2011, relying on the Collegiate Learning Assessment, a standardized test, to fault American colleges and universities for lack of academic rigor; see <http://chronicle.com/article/New-Book-Lays-Failure-to-Learn/125983/?inl>.

¹¹ Simon Head, "The Grim Threat to British Universities," *The New York Review of Books* (January 13, 2011), <http://www.nybooks.com/articles/archives/2011/jan/13/grim-threat-british-universities>.

the conversation from “we are advocating a specific set of metrics” to “you tell us what you think is important.” And we will manage that. And I have absolute confidence that we can do so.¹²

Indeed, the OUS already does rely explicitly on KPIs to measure the UO and other state universities. These KPIs include total enrollment, freshman retention, graduation rate, graduate satisfaction, graduate success, student-to-faculty ratio, total degrees awarded, sponsored research expenditures, faculty compensation, and economic development.¹³ The University of Virginia, which the New Partnership names as a possible model for the UO, is subject to a similar set of nineteen “institutional performance standards” by its state-level higher education agency, which has been a national leader in accountability reform. (Appendix 2 below gives a sense of what these look like and how they work.) There is reason, then, to trust that whatever suite of benchmarks the State of Oregon insists upon will to a large extent merely continue what is already routine practice.

However, there is a critical difference between reporting on benchmarks and retooling an institution to meet them. That is what will have to happen under either the New Partnership or the OUS plan if the university changes from conducting what amounts to a yearly bureaucratic exercise to inviting the state to specify in measurable terms what it expects of us and then promising that we will rise to meet whatever challenges it sets. How the UO will accomplish this is an issue that is not touched upon by the New Partnership proposal. Nor is the Oregon State Senate bill recently proposed to enact it any more specific. It charges the State Board with recommending incentives for the UO to meet performance benchmarks and penalties for failing to do so, and otherwise leaves the UO president and the UO Board complete latitude.¹⁴ The need to satisfy these benchmarks is certainly unlikely to prove a Trojan horse—a means for UO’s leadership somehow to erect an internal apparatus of managerial control—but in light of powerful current trends, neither is it likely to remain a pro forma task.

In this context, it is worth noting that the New Partnership’s discussion of accountability does not mention academic quality. Instead it proposes that the State measure the UO’s performance in such areas as “accessibility, affordability, diversity, economic development, and service impact.” Some of these areas, like service impact, are largely tangential to the UO’s core academic mission. Others, like affordability, must be viewed in context. Tuition affordability must be balanced against maintaining the quality of the UO as both a research and teaching institution. All of these performance areas stand in a complex and indirect relationship to core academic questions. A benchmark that sets an optimal size for the student body, for example, raises questions about whether UO has sufficient classroom space—and a sufficiently flexible academic curriculum—for students to take the classes they need in order to graduate in a timely fashion.

¹² <http://media.uoregon.edu/channel/2010/05/27/university-faculty-senate-may-12-2010>, at 00:03:47.

¹³ <http://www.ous.edu/factreport/mp/board.php>.

¹⁴ Senate Bill 559 (cited in note 5), pp. 19-20, section 51.

It is unclear whether or how measures of academic quality might be incorporated more directly into accountability reform. A joint UO Administration/Senate committee was appointed in January 2010 to study accountability metrics, but its work is not yet complete.¹⁵ The SBC report (pp. 8-9) has also identified some of the key issues.

One approach would be to draw on the academic goals the UO has already articulated in considerable detail in its 2009 Academic Plan. These goals are summarized in Appendix 3 below. UO might also adopt benchmarks to ensure its continued membership in the prestigious Association of American Universities (AAU), whose membership criteria emphasize research funding, faculty prestige, and comprehensive programs of graduate education.¹⁶ All of this would have to be negotiated with the State Board.

Another approach would be to say that the UO's academic mission will be best safeguarded if the accountability benchmarks required by the State remain clear, simple, fair—and non-academic in nature. As a state institution, the UO's doors should always be open to Oregonians, minorities, and low-income students. And the State has a right to expect that our graduates will be employable and go on to make contributions to society, both in this state and elsewhere in the world. But academic policy within the institution is most properly a concern of the UO administration, faculty, students, and staff.

CONCLUSION

In 1991, in the wake of Measure 5, Oregon embarked on an attempt to set “efficiency measures” to improve state government. This exercise at first gravitated toward complex attempts to compute ratios of “outputs” versus “inputs”—until one wag pointed out that what most Oregonians want when it comes to government efficiency is short lines at the DMV. Most successful reorganizations, whether in higher education or elsewhere, while prompted by budgetary stringencies, have been those aimed at enhancing quality and service. The New Partnership proposal is aimed at enhancing quality and service.

No one knows what new ideas and innovations in teaching and research will drive universities in thirty years, or even in five—much less how to measure them. Over the long lifespan of the partnership envisioned by the New Partnership plan, flexibility will be at least as important as accountability in ensuring that UO lives up to its role as a public flagship research university. Research universities have thrived for the last two centuries by being given the freedom to incubate ideas, attract talent, reach across borders, stimulate innovation, and raise the general level of prosperity by indirect effect. This freedom must be protected however the university's relationship to the state ends up being renegotiated.

¹⁵ UO Senate motion US09/10-9, <http://pages.uoregon.edu/uosenate/dirsen090/02Dec09Minutes.html>.

¹⁶ <http://www.aau.edu/WorkArea/DownloadAsset.aspx?id=10972>.

Appendix 1: Representation of students, faculty, and staff on governing boards of U.S. colleges and universities

Percentages refer to the proportion of boards nationwide on which at least one representative of a given constituency serves as a member. In every instance, the median number of such members is one.

Public institutions

Constituency	Voting	Nonvoting
Students	50.3%	28.2%
Faculty	13.3%	9.7%
Staff	7.2%	3.6%

Private institutions

Constituency	Voting	Nonvoting
Students	8.5%	12.5%
Faculty	14.9%	14.1%
Staff	19.5%	15.1%

Source: Association of Governing Boards of Universities and Colleges, <http://www.agb.org/node/582>. Data are from 2010. See also the executive summaries of the two reports posted at the same site: “Policies, Practices, and Composition of Governing Boards of Public Colleges, Universities, and Systems” and “Policies, Practices, and Composition of Governing Boards of Independent Colleges, Universities, and Systems.”

Appendix 2: Institutional performance standards at the University of Virginia

This chart gives a rough sense of what accountability benchmarks at UO might look like.

University of Virginia					
Measure	Description	Actual 0708	Target 0708	Threshold	Result
1	In-State Enrollment	15,322	15,547	14,770	Passed
2	Under-represented Enrollment	3,719	3,509	3,358	Achieved
3	Degree Awards	6,339	6,143	5,836	Achieved
4	Affordability	<i>No data at this time.</i>			
5.1	Need-based borrowing \$	\$2,307	\$3,167	\$3,424	Achieved
5.2	Need-based borrowing %	54.4%	63.4%	67.4%	Achieved
6	Tuition Assessment	<i>No data at this time.</i>			
7	High-need Degrees	1,618	1,579	1,470	Achieved
8	SACS Program Review	<i>Institution has provided a statement on current SACS program reviews.</i>			Achieved
9	100-200 Courses	<i>No data at this time.</i>			
10	Degrees per FTE Faculty	5.5	5.2	5.0	Achieved
11	Retention Rate	93.1%	92.0%	90.0%	Achieved
12	Degrees per FTE Students	25.0%	24.5%	23.8%	Achieved
13	Transfer Agreements	<i>Institution has provided evidence of increasing numbers of transfer agreements.</i>			Achieved
14	Degree Transfers	144	117	97	Achieved
15	Dual Enrollments	<i>Does not apply to four-year institutions.</i>			
16	Economic Development	<i>Institution received overall satisfactory scores from survey respondents.</i>			Achieved
17	Research Expenditures	\$242,195,333	\$278,700,000	\$215,300,000	Passed
18	Patents & Licenses	60	55	53	Achieved
19	K-12 Partnerships	<i>Institution received overall satisfactory scores from survey respondents.</i>			Achieved
Institution has been passed on the financial and administrative measures by the Secretaries of Finance, Administration, and Technology.					Achieved

Source: State Council of Higher Education for Virginia, "Certification of the Institutional Performance Standards, Benchmarks and Targets," http://research.schev.edu/ips/review/certification_2009_all.asp. See also <http://schev.edu/RESTRUCTURING/RESTRUCTURING.ASP>, cited on p. 17 of the New Partnership white paper, for more information.

Appendix 3: Digest of UO Academic Plan

In 2008-09, the University formulated an Academic Plan through a process of self-study that involved a great deal of feedback from the university community.¹⁷ That plan identified a number of goals and ideals to guide the UO in years to come. Among those most relevant to the the future design of accountability benchmarks are the following. (Page numbers refer to the most recent, October 2009, draft of the Plan.)

- The UO identifies itself as a “**liberal education**’ institution,” preparing students for “full participation as citizens in a free, democratic society” (p. 1). “Liberal” education embraces both the traditional liberal arts and sciences and the professional schools (p. 2).
- The UO is the State of Oregon’s “**flagship**” public university. Relative to other public universities in Oregon, it “carries a unique responsibility for the state in world-wide competition for excellence in education and research” (p. 1)
- The UO compares itself to other **AAU institutions**, and while it lags its comparators by many measures, it aims to “mov[e] towards the AAU average in such measures as class size, library and IT infrastructure, faculty teaching load, student/teacher ratio, salaries, tenure vs. non-tenure-related faculty ratio, and scholarly productivity” (p. 8).
- The UO is committed to the value of **diversity**. The Diversity Plan ratified in 2006 acts “as the blueprint for our progress in the areas of equity and diversity” (p. 3). Educating first-generation university students and accommodating Oregon’s burgeoning Latino/a population are particularly salient priorities.
- The UO is committed to “**full access**...for all qualified Oregon high school students, regardless of financial need” (p. 9).
- The UO aims at the same time for “**more selective admission standards** that elevate our current admission criteria” (p. 9).
- The UO aspires to specific **retention and graduation goals**. It aims to increase the freshman retention rate from 82% to 90% and the graduation rate of entering students from 62% to 70% (p. 12). “Graduating most students within four years” should be the norm (p. 9).
- The UO values **broad disciplinary coverage**. While it cannot aspire to the exhaustive disciplinary coverage of the largest American research universities, it is nonetheless committed to supporting a wide range of both disciplinary and interdisciplinary programs (p. 7).
- The UO targets an overall campus **size** of 24,000 students (growing from 20,300 a few years ago). It aims to raise the proportion of **graduate students** (excluding law) from

¹⁷ http://provost.uoregon.edu/files/2009/12/Academic-plan-10_13_09-final.pdf. For an archive of the discussion, including copious thoughtful feedback, see <http://academicplan.uoregon.edu>.

15% to 19% or more, and stabilize enrollment of doctoral students at 1,500. It aims to increase the proportion of **out-of-state students** to 40% and return that of **international students** to the pre-9/11 level of 8%. To accommodate increased enrollments, the UO aims to increase the **number of faculty** by at least 100 positions.