

Report of the Joint *Ad Hoc* Committee on Review Graduate School/Council Governance in
Regard to Policy and Procedures

April 11, 2019

Principals

David M. Dooley, President
Hillary Leonard, Chair, Faculty Senate
Donald H. DeHayes, Provost and Vice President for Academic Affairs
Bahram Nassersharif, Vice Chair, Chair Elect, Faculty Senate

Committee Members

Faye Boudreaux-Bartels, Professor, Department Electrical, Computer & Biomedical Engineering
Mark Conley, Professor & Chair, Department of Music
Arthur J. Gold, Professor & Chair, Department of Natural Resource Sciences
Valerie A. Karno, Associate Professor & Director, Graduate School of Library & Information
Studies
Patricia Morokoff, Professor, Department of Psychology
David C. Smith, Professor & Associate Dean, Graduate School of Oceanography

Convener

Matthew M. Bodah, Vice Provost for Academic Personnel and Budget

Committee Charge

The principals charged the committee with the following responsibilities:

- 1. Review and examine the current University Manual language and procedures to identify any potential sources of conflict caused by interpretation of that language. Propose resolutions, including changes to the University Manual and/or Graduate School Manual, for any sources of potential conflict between the Graduate School and the Faculty Senate.*
- 2. Develop clear and constructive recommendations on the following relevant issues: a. proposed revised or alternative structure(s), if necessary and appropriate, and/or University Manual changes that clarify governance responsibilities and appropriate and efficient review processes in regard to graduate policies and procedures, b. propose revised or alternate processes, as appropriate, for determining membership and leadership in such structures, c. propose revised or alternative processes for making changes to the Graduate School Manual, if needed, and resolve any conflicts between the Graduate School Manual and the University Manual relating to graduate policies and procedures.*

3. *Any new proposed governance structure for creating and changing Graduate School policies and procedures must consider the purpose and intention of the URI Graduate School, and ensure the authority, responsibility, and flexibility for URI graduate programs to shape their programs as necessary and appropriate to the program and consistent with University's mission and accreditation requirements.*
4. *Any new proposed structure or alternative mechanism for creating and changing policies and procedures must be consistent with URI's principles of shared governance.*

I. Actions of the Committee

The Committee began its work on January 29, 2019 and held ten (10) approximately two (2) hours meetings through March 26, 2019.

Based on the aforementioned charge, the Committee took the following actions:

- A. It reviewed both Graduate Student Manual (hereinafter, *GSM*) and University Manual (hereinafter, *UM*) to determine any sources of potential conflict
- B. It proposed revisions to both the *GSM* and *UM* in order to:
 1. Resolve inconsistencies.
 2. Identify changes to clarify governance responsibilities and efficient review processes related to graduate education policies and procedures.
 3. Clarify membership and leadership of the Graduate Faculty and/or Graduate School.
- C. It identified issue of concern that require further attention: for example, policies that are currently not being followed.
- D. Throughout its deliberations the committee kept in mind the purpose and intention of the Graduate School, the prerogatives of graduate programs, the University's principles of shared governance.

II. Background and context

Rhode Island General Law §16-32-10 states:

It shall also be the duty of the president and a committee of the faculty, with the approval of the board of governors for higher education [sic], to arrange courses of study conforming to all acts of Congress, and prescribe any qualifications for the admission of students and any rules of study, exercise, discipline, and government as the president and committee may deem proper.

In 1960, the General Faculty, with approval of the then-Board of Trustees, created the Faculty Senate to function as the statutorily authorized “committee of the faculty.”¹

The power and authority of the Faculty Senate are captured in its Constitution (see *UM* at Appendix B, Article II §1):

The Senate, subject to the provisions of state and federal law, subject to consistency with the general objectives established by its governing Board, and subject to the referendum power of the General Faculty, has ultimate legislative power on educational policies. It shall, with the concurrence of the President, formulate policy concerning teaching and research, study, exercise, discipline and government: for example, and without excluding others not listed, academic standards (scholastic standing, admission and dismissal policy, class attendance, grading systems, etc.), the University calendar, University-wide curriculum matters both graduate and undergraduate, and research and patent policy as they may affect the faculty as a whole [emphasis added].

The power and authority of the Graduate Council are captured in §4.70.10 of the *UM*:

4.71.10 Powers. The Graduate Faculty, acting in accordance with the general objectives established by the Board of Governors and University policy as legislated by the Faculty Senate with the concurrence of the President, is responsible for the establishment of the policies, rules and regulations governing graduate studies. The major portion of its work is done by the Graduate Council, acting in accordance with the provisions of 5.65.10-43 [emphasis added].

In turn, the reserved and delegated powers of the Graduate Council, per §5.65.31-37 of the *UM*, are to:

5.65.31 Determine requirements for admission of students to graduate work, their candidacy for degrees, and the awarding of degrees.

5.65.32 Approve, subject to the action of the Faculty Senate, all programs of graduate instruction and all courses carrying graduate credit.

5.65.33 Act upon all petitions from graduate students relating to their academic work and degree requirements.

5.65.34 Establish academic standards for all graduate work.

5.65.35 Recommend to the Graduate Faculty for its approval the names of students who have completed requirements for degrees.

5.65.35 Make recommendations to the Faculty Senate on all matters relating to teaching and research on the graduate level.

5.65.37 Establish such standing and special committees as it deems necessary to carry out its functions.

¹ This point is buttressed in *UM* §1.3010, which discusses presidential powers and shared governance and states: “For more than a half century, the committee of faculty mentioned in this legislation [i.e. RIGL 16-32-10] has been understood to be the URI Faculty Senate.”

III. Principles

In light of its charge and the wording of the statute and organizing documents cited above, the Committee developed the following guiding principles.

- A. The Faculty Senate is the sole faculty governing body of the University and represents the General Faculty, which includes the Graduate Faculty, and is subordinate only to the General Faculty.²
 - B. As with all degree-granting schools and colleges³ at the University, the Graduate School, through the Graduate Council, which acts on behalf of the Graduate Faculty, may establish policies and procedures that are beyond the jurisdiction of the Faculty Senate or are specifically delegated to it by the Faculty Senate.
 - 1. Curricular matters must always be approved by the Faculty Senate.
 - 2. Matters concerning graduate education that also implicate undergraduate education, whether involving the curriculum or policies and procedures, should come before the Faculty Senate.
 - 3. When there is a disagreement as to whether a matter involves the curriculum (requiring Faculty Senate approval) or Graduate School policies and procedures (not requiring Faculty Senate approval), a mechanism is needed to quickly settle the disagreement.
 - C. Graduate education is critical to the University and, therefore, requires strong advocacy by the Graduate School and the Graduate Council so that it maintains equal importance to undergraduate education.
 - D. Review processes concerning graduate education should be efficient and allow for innovation.
- IV. Inconsistencies between and within the *UM* and *GSM* and/or inconsistencies between the *UM* and *GSM* and current practice. Issues of shared governance.
- A. Inconsistency in language: graduate faculty status

The Committee found one significant inconsistency between the language of the *GSM* and *UM*. Appendix I of the *GSM* concerns Graduate Faculty status as does §4.70.10 of the *UM*. However, the Graduate Council's motion to replace §4.70.10 of the *UM* with its language in Appendix I was never acted upon by the Faculty Senate. According to the Dean of the Graduate

² It is, however, understood that, under *UM* 4.32.10, certain issues are reserved for departments and colleges and that the terms and conditions of faculty employment are within the exclusive jurisdiction of the collective bargaining process.

³ See, for example, *CELS BYLAWS* at <https://web.uri.edu/celsgov/cels-bylaws/>

School⁴, the motion was “timed-out” in debate during a final academic year meeting of the Faculty Senate and never reconsidered during old business.

UM §4.70.10 states:

4.70.10 The Graduate Faculty. The membership of the Graduate Faculty shall comprise the following President, Provost, Vice President for Research and Economic Development, Dean of the Graduate School, Vice Provosts, deans of graduate professional schools, deans of colleges in which departments offer programs leading to advanced degrees, chairpersons of departments authorized to offer graduate degree programs, the Dean of University Libraries and members of the instructional, research and library faculty who either teach one or more courses on the 500, 600 or 900 level on a continuing basis, serve as major professors sponsoring graduate students, or serve as members of the committees supervising the work of graduate students. When a person ceases to perform the function or functions qualifying him or her for membership on the Graduate Faculty, he or she ceases to be a member. Reviews of their Graduate Faculty shall be made by Departments or Programs at least once every four years. Recommendations for removal of a Graduate Faculty member who has ceased to perform the functions required for membership shall come from the Departments or Programs to the Graduate Council through the Dean of the Graduate School. The Graduate Council may either confirm or deny the recommendation.

GSM Appendix I, however, reads:

I. 1.0 Conditions for Graduate Faculty Status. The Graduate Faculty at the University of Rhode Island shall be adjunct, clinical, emeritus, research, or tenure-track faculty who have: a) earned the highest degree available in their discipline; b) published or produced products that contribute to their discipline or have distinguished themselves as leading practitioners in their discipline; and c) demonstrated their effectiveness as educators and mentors of students in graduate degree programs.

I. 2.0 Requirement for Serving on Graduate Student Committees. Graduate Faculty status shall be a requirement for a University of Rhode Island faculty member to serve on any graduate student committee.

I. 3.0 Graduate Faculty Status and Newly Hired Faculty Members. Graduate Faculty status is automatic for newly hired tenure-track faculty who have achieved the highest degree in their discipline. Their Graduate Faculty status shall be subject to the review procedures outlined in Appendix I. 5.0.

I. 4.0 Graduate Faculty Status of Current Faculty Members. Members of the University of Rhode Island faculty who do not have Graduate Faculty status can be nominated for that status at any time by the chair or the director of the department, school, or program in which they have a formal appointment, if in the view of the official in question they meet the criteria specified in Appendix I. 1.0. The chair or

⁴ Meeting with the Committee on March 19, 2019

director shall submit a letter of nomination, together with a curriculum vitae, to the Dean of the Graduate School for review. Appointment or retention of Graduate Faculty status will be approved for faculty who have met the conditions specified in Appendix I. 1.0.

I. 5.0 Periodic Review of Graduate Faculty Member Status. Periodic review of Graduate Faculty status is required. Continuation will be reviewed during each regular, mandated College review of a faculty member (1-, 2-, or 4-year intervals, depending on rank) and will be based on the criteria listed in Appendix I. 1.0. Requests for non-continuation of Graduate Faculty status will be submitted by the Dean of the College in which the faculty member resides to the Dean of the Graduate School for review. The Graduate Council will then approve or reject the request.

I. 6.0 Removal of Graduate Faculty Status. In addition to the College-initiated requests for non-continuation of Graduate Faculty status (Appendix I. 5.0), the Dean of the Graduate School, after consultation with the academic dean, chair, and faculty member involved, may also request removal of Graduate Faculty status in cases where graduate students were put at risk by consistently poor mentoring. Such requests would be submitted to the Graduate Council. The Graduate Council will then approve or reject the request.

Hence, the *GSM* confers Graduate Faculty status automatically upon newly hired tenure track faculty. In contrast, the *UM* limits Graduate Faculty status to a subset of the General Faculty, specifically: “members of the instructional, research and library faculty who either teach one or more courses on the 500, 600 or 900 level on a continuing basis, serve as major professors sponsoring graduate students, or serve as members of the committees supervising the work of graduate students.” Similarly, the two documents differ as to the review of Graduate Faculty status. The *GSM* calls for making review of Graduate Faculty status contemporaneous with the collectively bargained review process while the *UM* calls for review of Graduate Faculty status “at least once every four years.” The Committee further notes that in addition to the inconsistency, it is not apparent that any review of Graduate Faculty status actually occurs at the University.

B. Inconsistency in practice: Graduate Council/Graduate Faculty meetings.

In addition to the inconsistency in practice concerning the review of Graduate Faculty status, the Committee also notes that according to §5.64.24 and §5.64.25 of the *UM*, the basic agenda of Graduate Council meetings are to be mailed to each member of the Graduate Faculty “at least five days prior to each meeting” and minutes of each Graduate Council meeting should be mailed to members of the Graduate Faculty “within one week following the meeting.”

Members of the Committee were unaware of any circulation of agendas or minutes to the entire Graduate Faculty. The posting of minutes appears to be irregular and not always done within one week of a meeting. Therefore, §5.65.40 of the *UM*, which grants to the Graduate Faculty the right, upon petition within 14 days, to review decisions of the Graduate Council, is rendered meaningless.

C. Issues of shared governance.

It is clear (see *UM* §4.17.10, quoted above) that the Graduate Council performs the work of the Graduate Faculty as delegated by the *UM*. Further §5.65.42 of the *UM* states: “If the Dean of the Graduate School shall disapprove of any action voted by a majority of the Graduate Council, he/she shall place the item on the agenda of the next meeting...If agreement between the Dean and the majority of the council is not reached as this second meeting, the item objected to by the Dean shall be made the first order of business at a special meeting of the Graduate Faculty.” It is the understanding of the Committee that as it is currently comprised the Dean of the Graduate School is both chair and a voting member of the Graduate Council. The *UM* language suggests, however, that a vote of the Council is subject to veto by the Dean and that such veto could be overridden by the Graduate Faculty. This calls into question the appropriateness of the Dean serving as chair and a voting member of the Council.

V. Recommendations of the Committee

- A. The Graduate Council should be retained as an advocate for and part of the governance structure of the Graduate Faculty and Graduate School. The Committee does not recommend making the Graduate Council a committee of the Faculty Senate. The Graduate Council acts as representative of the Graduate Faculty analogous to the way that various college committees, including college curriculum committees, act on behalf of college faculties. The Graduate Council additionally has specific responsibilities delegated to it by the *UM* (see *UM* §5.65.31-5.65.37).
- B. To advance the principle of shared governance, the role of the Dean of the Graduate School should be clarified with regard to the Graduate School, Graduate Faculty, and Graduate Council. Currently *UM* §3.30.12 states that the Graduate School Dean is the *ex officio* chairperson and member as well as executive officer of the Graduate Faculty and Council. The Committee recommends that the Dean of the Graduate School’s powers and responsibilities echo, and be limited to, those of the deans of other degree granting colleges—i.e. the chief administrator of the Graduate School. In turn, a member of the Graduate Faculty should chair the Graduate Council. The same person could also chair meetings of the Graduate Faculty.⁵ The Committee recommends that the Dean be designated an *ex officio*, non-voting member of the Graduate Council with the right (per *UM* §5.65.42) to disapprove of actions of the Council, subject to override by the Graduate Faculty.

⁵ However, recognizing that §4.20.10 of the *UM* states that “[t]he President of the University shall be the presiding officer of the University faculty,” it is, perhaps, appropriate that either the President or the Dean as the President’s designee be the presiding officer of the Graduate Faculty.

- C. The statutory authority of the Faculty Senate should be clear in all documents. The Committee rejects the implication of the organizational chart provided by the Dean of the Graduate School (see Appendix to this report) that suggests overlapping and equal standing of the Faculty Senate and Graduate Council. Rather the Committee asserts that the Faculty Senate is the sole formal legislative authority for all faculty, including Graduate Faculty. The Graduate Council has specific duties reserved and/or delegated to it by the *UM* (see §5.65.31-37) which can be summarized as authority for the “policies, rules and regulations governing graduate studies” (see *UM* §4.70.10). Graduate curricular matters must be approved by the Faculty Senate. The Committee also recommends that policy matters that implicate undergraduate education be approved by the Faculty Senate. To make the authority of the Faculty Senate clear, the Committee recommends that language be placed in both the Preamble and Preface to the *GSM* to make clear that provision of the *GSM* are to be made “in accordance with the University Manual.”
- D. The Committee understands that a bright line cannot always be drawn between the broad authority of the Faculty Senate and the reserved or delegated rights of the Graduate Council. Occasionally issues may arise that require a jurisdictional determination. The Committee notes that one possibility for the determination of jurisdiction already exists in the *UM*. Section 4.40.16 of the *UM* states: “Questions of jurisdiction as to the powers of the General Faculty (or its representative body, the Faculty Senate) and the faculties of the several colleges shall be referred to the President. Appeals from the President’s ruling shall be decided by the General Faculty.” Therefore, if the Graduate School is considered a *de facto* college comprised of the Graduate Faculty represented by the Graduate Council then questions of jurisdiction between the Graduate Council and Faculty Senate may be handled according to §4.40.16. Alternatively, the Committee suggests that a §4.71.12 be added to the *UM* containing a three-step process for resolving jurisdictional disputes: 1) A motion is made during new business of a Faculty Senate meeting to challenge a policy modification recommended by the Graduate Council on the grounds that it represents a change to a curriculum or program. If the motion is seconded an *ad hoc* committee or one of the senate’s standing committees can review the matter and report back at the next Faculty Senate meeting. 2) The committee presents its report at the next meeting and the senate votes only on the challenge. If the senate votes that the action of the Graduate Council was within its policy making authority, the policy change stands. 3) If the senate votes that the policy affects curriculum or programs, a second vote is taken to determine whether the Faculty Senate supports the modification proposed by the Graduate Council.

- E. The Committee recommends that Faculty Senate and Graduate Council reconcile the *UM* and *GSM* language concerning Graduate Faculty status. The Committee offers the possibility that rather than granting of automatic status, subject to revocation, Graduate Faculty status be granted for limited terms subject to renewal at a faculty member's initiative and based on defined criteria. While not taking a position, the Committee is aware that Graduate Faculty status could be considered a term and condition of employment requiring action through the collective bargaining process.
- F. The Committee had a relatively short time to address the issues in its charge. The Committee notes, for example, inconsistencies in Chapter 8 of the *UM* in the extent to which graduate as opposed to undergraduate curricular policies are addressed. The Committee recommends that these be made consistent. It suggests, therefore, that the work of continuing to reconcile issues as they arise be assigned to the Faculty Senate's Constitution, By-laws, and University Manual Committee.

Appendix

