

Memorandum to Senate Executive Committee, April 12, 2021. Updated April 20, for Academic Senate meeting of April 26, 2021.

## **Re: CIB2 Report, and Proposal for UACI Regulations—Policy 6-001, Rule 6-001UACI (& Rule 6-001CMP)**

From: Bob Flores, Senate Policy Liaison

### I. Introduction.

Presented at the Executive Committee meeting April 12, and then the Academic Senate meeting April 26 is a combined report and proposal from the Senate special committee on Centers, Institutes, & Bureaus (commonly referred to as “CIB2,” because this committee is the second such committee that has worked on these topics and issues in recent years).

Because in my capacity as the Senate Policy Liaison (and earlier as a Special Assistant to the Office for Faculty, Assoc. VP Academic Affairs) I have worked very closely with both this current committee and its predecessor and so have been deeply involved with regulations and procedures for our centers and institutes, I thought it would be helpful to provide to the Executive Committee and Senate members some insights from my experiences and my close involvement with developing this current proposal.

The main thrust of the report and proposal is to approve some short revisions to University Policy 6-001 Academic Units and Academic Governance, and an entirely new University Rule 6-001UACI, providing a very detailed system and set of procedures and criteria for creating new *University Academic Centers and Institutes* (UACIs) and then regularly reviewing such units and determining whether they should be continued, or discontinued. Note the transition of phrasing from “CIB” to “UACI,” indicating both that the term “Bureau” is being eliminated because the committee found that form of unit is no longer being used, and that the new UACI nomenclature will replace the old CBI terminology to convey the message that a very significant shift is occurring.

### II. Roles of new UACI Coordinating Committee & Graduate Council.

Currently, proposals for creating new centers and institutes are considered through procedures managed by the Graduate School/ Graduate Council, and subsequent reviews of the units are conducted primarily by the Graduate School/ Graduate Council, which also manages the procedures for creating and subsequently periodically review academic departments and colleges. The proposal would establish a new UACI Coordinating Committee to assume the bulk of the responsibilities for managing the processes of creating and subsequently reviewing UACIs. To ensure no loss of the expertise developed by the Graduate School and Graduate Council in their years of managing the center and institute processes, and to have the benefit of the knowledge and perspectives of the Council members who represent a wide variety of college constituencies, the new system would include the Dean of the Graduate School as a central member of the new UACI Coordinating Committee, and retain a role for the Graduate Council members to provide input to the Coordinating Committee in the UACI creation and subsequent review processes. And, based on feedback from the Senate Executive Committee, the updated proposal puts greater emphasis on having such consultation with the Council members.

Also based on that Executive Committee feedback the updated proposal expands and modifies the faculty membership of the new UACI Coordinating Committee, so it would have nine voting members, six of whom will be tenure-line or career line faculty members. From central administration it would include the Graduate School Dean, the Vice President for Research, and the Vice President for Institutional Advancement. From the faculty it would include the President of the Academic Senate (or designee), and five other tenure-line or career-line faculty members with relevant experience (one chosen by the Senate President, and four chosen by the University President, after consultation with the Senate Executive Committee). All members would be charged to represent the interests of the University overall, not the narrower interests of any particular unit or area.

The Coordinating Committee would have central roles in (i) developing Guidance materials with further details for the procedures it would manage and oversee, (ii) managing proposals to create new UACIs, (iii) managing periodic thorough reviews of UACIs, and (iv) managing a UACI Registry tracking the status of UACIs.

### III. Process for creating *new* UACIs.

The revised processes for creation of new UACIs would provide that, in general, all new UACIs begin with a three-year period of “initial phase authorization” status, then upon successful completion of that initial phase be approved for “continuing authorization status,” first for a five-year period, and then upon successful reviews be renewable for successive periods of seven years with continuing authorization status. (I.e., 3 years initial phase, 5 years in continuing status, then successive 7 year periods renewable in continuing status.) No new UACI could go directly to continuing authorization status --- all would be required to go through the initial phase, which is essentially a 3 year ‘trial period.’

The overall process for creating a new UACI would include preparation, including consultation with the cognizant Senior Vice President(s), and then an early formal stage of submitting to the Coordinating Committee a “**Letter of Intent**” with basic important information, and then that Letter used for further consultation with the cognizant Senior Vice President(s) and with the Council of Academic Deans (as one of multiple methods to identify and address any concerns about how a new UACI would affect other existing units of the University. If the Committee (or the University President) grants permission to proceed further, then there would be a Formal Proposal to create the new UACI for the three-year initial phase period, with reviews and recommendations about that proposal made by a series of participants, including administrative officers, and the Academic Senate. Upon a successful experience in the three-year initial phase, there would be a Formal Proposal to transition into the Continuing Authorization status, for a five-year period.

Approved UACI’s that have gone through the three-year initial phase trial period, and then attained Continuing Authorization status would subsequently undergo thorough reviews at each successive multi-year period (Multi-Year Review Reports), and in most cases routinely would apply for “Renewal” for another such multi-year period (ordinarily of 7 years). The system and procedures would provide for “discontinuance” of a UACI under appropriate circumstances (e.g., no funding available to continue operations, lack of interested personnel, or functions were absorbed by other units, etc., so the UACI should be ‘removed from the books’).

To ensure that the new system and processes achieve intended important purposes without unduly burdening participants with unnecessary and unhelpful ‘red tape’ the new Rule would provide for

various exceptions to some of the ordinarily required steps, to be used as circumstances justify. For example, the ordinary processes for creating a new UACI would require a voted-upon “Recommendation” from the Academic Senate. However, if truly urgent circumstances so justify, with a certification of true urgency by the University President, the Senate Executive Committee could substitute for the full Senate and provide that voted-upon Recommendation much more quickly. Other process-shortening exceptions are also described in the new Rule.

IV. A balanced approach to integrate into the new UACI system the existing center and institute units created under the old CIB system (a transition period up to four years).

For existing centers and institutes, which have not gone through the comprehensive creation process of the new UACI system, the Rule would allow for circumstantially-justified exceptions to the ordinary processes, to allow those existing units to be recognized as approved UACIs with continuing authorization status, without undue difficulty and delay. Based on feedback from the Executive Committee, the updated proposal would provide for a planning and adjustment period after the new Rule takes effect, giving the Coordinating Committee up to three years to develop and begin implementing a plan to apply the Rule to existing units. By the fourth year (or possibly extended to the seventh year in a few extraordinary cases), existing units would be brought into compliance with the principles that the revised Policy and new Rule adopt and recognize as so fundamental that they must be required for all UACI’s, new and pre-existing. Through an earlier phase CIB related project it had already been established that all existing units operating as centers or institutes would be required to go through a review process on a multi-year cycle. That element of a periodic review requirement is carried forward in this proposal. The plan the Coordinating Committee would be required to develop and implement would result in all existing units being brought into compliance with those fundamental principles either through the formal review process carried out on that multi-year cycle, or earlier in some cases, as will be determined appropriate by the Committee based on the relevant circumstances.

This requirement for existing units is important to avoid a result of having two separate and unequal classes of center and institute units, with newer units required to conform to the fundamental principles, while the older units might be perpetually excused from complying with such fundamental principles merely because they had been created before the University recognized and acted on the need to develop and implement an appropriate regulatory system.

The most fundamental of the principles are described in the very short passage being added to Policy 6-001.

“The contents of Policy 6-001 regarding UACIs are intended to be implemented through associated Regulations including a University Rule (Rule 6-001UACI) and related UACI Guidance. The Regulations shall (A) further describe the functions of UACIs; (B) set procedures and criteria for creating and periodically renewing/ or discontinuing UACIs; (C) provide for a UACI coordinating committee to manage the processes of creating, reviewing and renewing/ or discontinuing UACIS; **(D) ensure that creation and renewal procedures include consultation with other academic units potentially interested in or affected by activities of a UACI;** (E) require a formal recommendation of the Academic Senate for creation of new UACIs and regular reports to the Senate by the UACI committee; (F) require all new UACIs to have a trial period; **(G) require that the organizational and governance structure of each UACI be described in a governance**

**charter with a faculty shared governance body overseeing academic activities and administrative officers overseeing fiscal management and; (H) require each UACI to have a funding and sustainability plan.”**

That requirement for each UACI to have an organization and governance structure which includes a “faculty shared governance body” is then referred to in the new Rule 6-001UACI as a requirement that a proposal for a new UACI demonstrate compliance with a fundamental principle that: **“The UACI’s overall organizational structure serves the University’s fundamental values for fiscal oversight, rigor in academic activities, and faculty shared governance, with a UACI Governance Board as a primary feature of that structure.”**

V. The UACI/ CIB Project history.

This proposal comes through the work of a special committee which the Academic Senate first authorized in May 2017. Because of the complexity of the subject matter, intensity and breadth of concerns, and importance of having multiple perspectives and broad expertise, the tasks of selecting members and developing a charge continued through February 2018. The committee’s tasks of conducting background research, discussing and agreeing on basic principles, then developing documents on which this proposal is based were highly complex, requiring gathering input from many parts of the University, recognizing and balancing competing interests and concerns, and working through multiple iterations of document drafts, which occurred primarily in 2018 and through fall 2019, done by the committee as a whole, and at times by a smaller subcommittee, particularly in the later stages. The committee presented a mid-project report to the Senate in April 2018. Due to other high priority projects of the Senate requiring the attention of the Policy Liaison, this project was paused for most of 2020 and then in spring 2021 restarted and completed by a small subcommittee led by the CIB2 Committee chair Andrea Rorrer (Professor of Educational Leadership and Policy, and Director of the Utah Education Policy Center), assisted by Senate Policy Liaison Bob Flores. The proposal has been reviewed by Dean of the Graduate School David Kieda, and Vice President for Research Andrew Weyrich. As noted, it was presented to the Senate Executive Committee whose members gave important feedback leading to updating and refining the version now being presented to the Senate. And the proposed Regulations were presented to the University’s Institutional Policy Committee in spring 2021 consistent with standard processes.

It is important to acknowledge that this current committee’s work followed upon earlier important steps undertaken by predecessor CIB task forces and working groups in 2014 and 2015, through projects initially organized by the Associate VP for Faculty Amy Wildermuth, and subsequently by the Associate Dean of the Graduate School Donna White under direction of Dean David Kieda, with ongoing assistance of the Senate Policy Liaison. Among the major developments of that earlier work, the Graduate School/ Graduate Council gathered important information, including a list of existing centers and institutes, and developed and implemented a “Centers, Institutes, and Bureaus Interim Guidance Document” which has been used to guide creating of units while the University awaited completion of this CIB2 committee’s proposal. Those important earlier materials may be seen on a “Centers, Institutes, and Bureaus” web site-- <https://centers.utah.edu/> , including the very informative CIB Interim Guidance Document-- <https://centers.utah.edu/wp-content/uploads/2018/08/CIBsInterimGuidanceDoc.pdf>

VI. Implementation timeline & required reviews after implementation.

This proposal is for the revision of Policy 6-001 and the new Rule 6-001UACI to take effect July 1, 2021, and of course there would then be a period of time for the new Coordinating Committee to be set up and begin functioning, and the Committee would develop a timeline for work during the 2021-2022 year implementing the new system for managing creation and subsequent review of UACIs. The proposed Rule includes an explicit requirement for two thorough reviews of the new system to be conducted, with reports to the Senate, first in the third and then in the seventh year operating under the new Rule. And it requires that brief reports of the activities of the Coordinating Committee be presented to the Senate every year, perpetually.

VII. Proposal documents, and the unrelated Rule 6-001CMP spin-off proposal, included with this main proposal for efficiency.

The materials for this combined report and proposal include (a) this memorandum to the Executive Committee, updated for the Academic Senate, (b) a document showing the contents of the new Rule 6-001UACI plus in shortened form the relevant excerpted portions of the main Policy 6-001 as revised, and (c) a complete version of the entire Policy 6-001 with revisions marked and the complete version of a spin-off Rule 6-001CMP.

For purposes of efficiency in revising Regulations and efficient use of the Senate's time, this proposal includes an entirely non-substantive revision, of taking some existing content from current Policy 6-001 and moving it, unchanged, into a new 'spin-off' Rule 6—001CMP, governing the processes of curriculum management by academic departments. The Senior Associate Vice President for Academic Affairs, Martha Bradley, and head of the office which oversees such curriculum management –Assistant VP Undergraduate Studies Ann Darling, have agreed this change would be quite useful. And with no potential for controversy, as your Senate Policy Liaison I believe it can easily be processed along with the main proposal, and so I recommend it to make efficient use of Senate members' time. Therefore, approval of this overall proposal regarding UACIs would include formal approval of this purely technical change moving contents out of the very lengthy Policy 6-001 and into the spin-off Rule 6-001CMP, as shown in the included lengthy document

VIII. Further information & committee member list.

Additional information about the UACI proposal, and the CIB2 committee and its work may of course be obtained from the committee, and chairperson Prof. Andrea Rorrer, College of Education.

[andrea.rorrer@utah.edu](mailto:andrea.rorrer@utah.edu)

As your Senate Policy Liaison, please consider me as a resource for information about this project also, and background information about this and previous projects I've been involved with regarding regulations and practices for centers and institutes for several years. Bob Flores

[robert.flores@law.utah.edu](mailto:robert.flores@law.utah.edu)

Attachment: 2018-01-03 CIB2 members list

The 2018-01-03 list of CIB2 Committee members as approved by the Academic Senate Executive Committee.

<b>Business</b>	Bob Allen
<b>Dentistry</b>	Glen Hanson
<b>Education</b>	Andrea Rorrer <b>CHAIR</b>
<b>Engineering</b>	Milind Deo
<b>Fine Art</b>	Sarah Projansky
<b>Health</b>	Jim Martin
<b>Humanities</b>	Janet Theiss (on sabbatical thru spring, will join in summer 2018)
<b>Law</b>	Leslie Francis
<b>Medicine</b>	Harriet Hopf
<b>Mines &amp; Earth Sciences</b>	John Lin
<b>Nursing</b>	Marla DeJong
<b>Pharmacy</b>	Nancy Nickman
<b>Social &amp; Behavioral Science</b>	Mark Button
<b>Social Work</b>	Mary Jane Taylor (going on sabbatical Fall 2018)
<b>QIDT</b>	Ann Engar
<b>Ex Officio</b>	Bob Flores, Bob Fujinami, David Kieda
<b>Admin</b>	Fred Esplin, Amy Wildermuth
<b>At Large Appointees</b>	Margaret Clayton (Senate President)