

APPEAL REVIEW COMMITTEE REPORT

Appeal of Withdrawal of Accreditation from:

Master of Library Science Program
Information and Library Science Department
School of Education
Southern Connecticut State University

October 20, 2013

Conducted on Behalf of
The American Library Association
Executive Board

Members:

Mary Ann Berry (LIS Educator)
Jennifer Jung Gallant (Practitioner)
Lisa Hinchliffe (Practitioner), Chair
Margaret Maes (Practitioner)
Susan Roman (LIS Educator)

Alternates:

Clara M. Chu (LIS Educator)
Dale McNeill (Practitioner)

Executive Summary

An appeal of an accreditation decision by the Committee on Accreditation (COA) must be based on either or both of two grounds as articulated in Section IV.2 of Accreditation Process, Policies, and Procedures (3rd edition). The Program filing the appeal has the burden of proving that the COA committed clear error in making its accreditation decision and that this error resulted in an unfair decision. The Appeals Review Committee is charged to make one of two recommendations to the ALA Executive Board: 1) to uphold the COA decision, or 2) to remand the decision back to the COA with comment.

After careful consideration and deliberation on the evidence presented, the Appeal Review Committee finds that the Program failed to meet its burden of proof. Therefore, the ARC recommends to the ALA Executive Board to uphold the COA's decision to withdraw accreditation from the Program.

Background

The Committee on Accreditation (COA) of the American Library Association (ALA) voted to grant conditional accreditation status to the Master of Library Science Program at Southern Connecticut State University on June 27, 2010.

The Program submitted a Plan for Removal of Conditional Accreditation Status on October 15, 2010. The COA reviewed the Plan and, on November 20, 2010, informed the Program that it did not accept the Plan. The Revised Plan for Removal of Conditional Accreditation Status was submitted on March 15, 2011 and was accepted by COA on April 16, 2011.

An Annual Progress Report was submitted by the Program on December 2, 2011. The COA did not accept this progress report on April 14, 2012.

The Program was scheduled for a spring 2013 comprehensive review. The Plan for Program Presentation was discussed with the Program by the Chair of the External Review Panel and the Director of the ALA Office for Accreditation on May 3, 2012. The Program Presentation itself was submitted in February 2013. The External Review Panel visit occurred on April 7-9, 2013. The External Review Panel report was submitted on May 10, 2013. The Program submitted its Response to the External Review Panel Report on May 20, 2013.

The COA decision to withdraw accreditation was made on June 29, 2013 and the decision letter was sent to the Program on July 1, 2013.

On July 16, 2013, the Program notified ALA that it would appeal the withdrawal of accreditation decision. The Program filed its Appeal on August 6, 2013. The COA submitted a Response to Grounds for Appeal on September 6, 2013.

The Appeal Review Committee (ARC) met by conference call on September 6, 2013 and then at ALA Headquarters in Chicago on October 7-8, 2013. Representatives of the Program and the COA were invited to participate in the hearing, which took place on October 7, 2:30-5:15 pm.

This report is the result of the ARC meeting and review of the evidence and concludes with the ARC's recommendation to the ALA Executive Board as directed by the Accreditation Process, Policies, and Procedures, 3rd Edition (AP3-3) handbook.

Standard for Appeal

The accreditation appeal process, which was adopted in 2003 by the ALA Executive Board, provides a system of checks and balances to protect the integrity and fairness of the process for the institution, the COA, and the ALA (AP3-3, IV.1). Specifically,

An institution may file an appeal of a COA decision to withdraw accreditation or to deny initial accreditation. The appeal must be based on either or both of the following grounds:

1. That the COA failed to follow its established published procedures in reaching its decision, and that this failure to follow procedures caused the decision to be unfair; and/or
2. That the COA decision was arbitrary, capricious or not supported by significant, relevant information or evidence that the institution submitted in writing to the External Review Panel (ERP) and/or to the COA at the time of the review or before the decision, and that this oversight resulted in an unfair decision.

Guiding questions are 1) Was the action relevant to the issues at hand, within the agency's scope of authority and free from bias or malice? 2) Was the decision supported by substantial evidence? 3) Was the institution given adequate notice and an opportunity to be heard prior to the adverse action being taken? Specifically, did the institution have adequate time to respond, a meaningful opportunity to respond to the bases of the adverse action before it was taken and was there sufficient enough notice for the institution to know what the specific bases of an adverse action were before the action was taken? (Drinker Biddle LLC, 2009 Association of Specialized and Professional Accreditors Fall Meeting, Item V.G.3)

In addition, AP3-3 makes clear that the burden of proof in an appeal lies with the Program filing the appeal:

The institution filing an appeal has the burden of proving that the COA committed clear error in making its accreditation decision, that this error resulted in an unfair decision, and that the error falls within the grounds for appeal set forth in this document. The Appeal Review Committee (ARC) members are to determine not whether they would have reached the same conclusion as the COA, but rather whether the COA followed established published procedures and reached its decision in a fair manner.

The Appeal

The SCSU Program based their appeal on both grounds outlined in AP3-3. The Program asserted that the COA committed clear error in making its accreditation decision and that this oversight resulted in an unfair decision, and that COA did not follow established published procedures and that this failure caused the decision to be unfair.

Ground 1: Procedural Error

On Ground 1, the Program asserts that:

COA failed to follow its published procedures by failing to issue its decision within seven days following the June COA meeting.

Ground 2: Decision was Arbitrary, Capricious or Not Supported

On Ground 2, the Program asserts that:

The University asserts that the COA did not appropriately consider the evidence of compliance provided to the panel and inappropriately criticized the faculty for failing to complete a course of corrective action that the COA previously approved and which was, by its own terms, in the middle of implementation. Further, the Standards do not offer fixed rules for determining compliance, leaving the COA to use a prevalence of an “I know it when I see it” form of assessment. In this case, the lack of fixed and predictive rules led to an arbitrary decision to withdraw accreditation.

On Ground 2, the Program also asserts that:

In its program presentation of 2013, the University presented substantial evidence of compliance with Standards I and III.5, evidence the COA appears not to have fully and fairly considered. Further, the COA appears to have judged the program in 2013 on the expectation of a fully developed and implemented comprehensive assessment plan, including evidence of having “closed the loop.” This was impossible to accomplish in the less than two years between the approval of the plan for removal of conditional status (April 2011) and submission of the Program Presentation (February 2013). Finally, because the standards provide no fixed rules for determining compliance, reviewers and the COA must use a personally constructed “I know it when I see it” methodology to assess compliance. In this case, such an approach resulted in an arbitrary decision to withdraw accreditation.

In making its appeal, the Program asserts that it provided sufficient evidence that it has responded to COA’s concerns as stated in the June 27, 2010 decision letter:

- Lack of clearly defined and interconnected program-level goals, objectives, and student learning outcomes

- Minimal participation of external stakeholders and constituencies
- No formal policy of procedure for the use of assessment data in comprehensive planning
- Several member of the full-time faculty do not exhibit “a sustained record of accomplishment in research or other appropriate scholarship” (Standard III.5)

Appeal Review Committee Process

The Appeal Review Committee was appointed by the ALA President, with the advice and approval of the ALA Executive Board. The ARC met on September 6, 2013, via conference call, in order to select the chair of the ARC and review the appeal process and procedures detailed in AP3-3. The ARC received all documents specified in AP3-3 in advance of the hearing in both print and electronic copy.

The Appeal Review Committee met on October 7-8, 2013 at the ALA Headquarters in Chicago. Representatives of the Program and the COA were invited to participate in the hearing, which took place on October 7, 2:30-5:15 pm.

Present at the hearing were:

- Appeal Review Committee Members and Alternates
- Robert E. Banks, Observer from the ALA Executive Board
- Hak Joon Kim, Chair, Information and Library Science Department, SCSU
- Jaye Bailey, Chief of Staff and Vice President for Organizational Development, SCSU
- Joan Giesecke, Member, COA
- Denise Lazar, Barnes & Thornburg, General Counsel for COA
- Barbara Dunn, Barnes & Thornburg, General Counsel for ALA
- Mary Ghikas, Senior Associate Executive Director, ALA, Staff Liaison to ARC
- Karen O’Brien, Director, ALA Office for Accreditation
- Laura Dare, Assistant Director, ALA Office for Accreditation

The hearing was structured as follows:

1. Introductions and Review of Procedures as Outlined in AP3-3
2. Presentation from the Program
3. Questions from the ARC to the Program
4. Break
5. Presentation from the COA
6. Questions from the ARC to the COA
7. Break
8. Executive Session: ARC Review of Presentations and Question Responses and Identification of Additional Questions
9. Re-Convene Program and COA Representatives
10. Questions for Program
11. Questions for COA
12. Hearing Concludes

Representatives of the Program and COA were each allocated up to 30 minutes for their presentation. Though both sides were present for the other side's presentation, no cross-examination or rebuttals were allowed.

Discussion and Findings

Ground 1: Procedural Error

On Ground 1 (procedural error), the Program asserts that:

COA failed to follow its published procedures by failing to issue its decision within seven days following the June COA meeting.

The ARC reviewed the procedures for conveying the accreditation decision to the Program as specified in AP3-3. The Office for Accreditation is required to send the decision document "ten (10) business days after meeting with COA" (p. 36). The decision was made on June 29, 2013. A letter was sent on July 1, 2013. On July 16, 2013, the Program sent a letter to the ALA Executive Director stating that the Dean of the School of Education received the decision letter on July 10, 2013.

Based on the above evidence, the ARC finds that letter was not only sent within ten business days but also the Program acknowledged receipt within those ten business days. *The ARC finds the Program failed to meet its burden of proof and, consequently, the appeal fails on this ground.*

Ground 2: Decision was Arbitrary, Capricious or Not Supported

Lack of Fixed Rules Led to Arbitrary Decision

The Program asserts that:

The Standards do not offer fixed rules for determining compliance, leaving the COA to use a prevalence of an "I know it when I see it" form of assessment. In this case, the lack of fixed and predictive rules led to an arbitrary decision to withdraw accreditation.

The ARC deliberated the Program's assertion in light of the "Introduction" to the 2008 Standards for Accreditation of Master's Programs in Library and Information Studies, which states that:

The Standards are indicative, not prescriptive, with the intent to foster excellence through the development of criteria for evaluating educational effectiveness. Throughout the Standards, the requirements for evaluation include assessments, not only of educational processes and resources, but also of the successful use of those processes and resources to achieve established objectives expressed as student learning outcomes. Further, institutions seeking accreditation of master's degree programs in library and information studies have an obligation to use the results of their evaluations for broad-based, continuous program planning, assessment, development, and improvement. (p. 4)

The Standards continue on saying that:

These Standards describe the essential features of programs of education that prepare library and information professionals. Within the context of the school's rights and obligations regarding initiative, experimentation, innovation, and individual programmatic differences, these Standards identify the indispensable components of library and information studies programs. These Standards are based on qualitative rather than quantitative measures. For the purposes of accreditation of educational programs, evaluation based on qualitative measures ultimately depends on the observation and judgment of experienced and capable evaluators. (p. 4)

Finally, Standard I.3 specifically states that:

Within the context of these Standards each program is judged on the degree to which it attains its objectives. In accord with the mission of the school, clearly defined, publicly stated, and regularly reviewed program goals and objectives form the essential frame of reference for meaningful external and internal evaluation. The evaluation of program goals and objectives involves those served: students, faculty, employers, alumni, and other constituents.

In light of the text from the Standards document as well as its review of COA's process, the ARC finds that the COA fairly and consistently applied the Standard I.3, which is "fixed and predictive," judging the program on the degree to which the Program attains the objectives set by the Program. *The ARC finds the Program failed to meet its burden of proof in asserting that the COA decision was arbitrary and, consequently, the appeal fails on this ground.*

Impossible Expectation

In its appeal, the Program asserts that

The COA appears to have judged the program in 2013 on the expectation of a fully developed and implemented comprehensive assessment plan, including evidence of having "closed the loop." This was impossible to accomplish in the less than two years between the approval of the plan for removal of conditional status (April 2011) and submission of the Program Presentation (February 2013). Finally, because the standards provide no fixed rules for determining compliance, reviewers and the COA must use a personally constructed "I know it when I see it" methodology to assess compliance. In this case, such an approach resulted in an arbitrary decision to withdraw accreditation.

In reviewing this assertion, the ARC relied on the following statements in the Program's Revised Plan for Removal of Conditional Accreditation:

During the Summer of each year, the Department Chair, in consultation with the faculty, will prepare a report on the achievement status of the activities listed for the previous year in the Strategic Operational Plan. Based on this report, on input from the department's constituency, on an assessment of the program's adherence to the

Standards, and on other information, the faculty will modify the Strategic Operational Plan, adding detail to the upcoming year. (p. 3)

The Strategic Operational Plan is adopted by the faculty at the start of the academic year. The tasks stated in the Strategic Operational Plan are interpreted as charges to be carried out by faculty standing committees and by individuals in the coming year. (p. 4)

The ARC finds that the Program itself has put forth a planning process that indicates assessment data will be collected and used to inform the Strategic Operational Plan on an annual basis. As such, the ARC finds that the COA fairly and consistently applied the Standard I.3, which is “fixed,” judging the program on the degree to which the Program attains the objectives set by the Program. *The ARC finds the Program failed to meet its burden of proof in asserting that the COA decision was arbitrary because it was based on an impossible expectation and, consequently, the appeal fails on this ground*

Decision Not Supported by Information Provided

In making its appeal, the Program asserts that “in its program presentation of 2013, the University presented substantial evidence of compliance with Standards I and III.5, evidence the COA appears not to have fully and fairly considered.” Specifically, in the appeal, the Program asserts that it provided sufficient evidence that it has responded to COA’s concerns as stated in the June 27, 2010 decision letter related to Standards 1 and 3:

- Lack of clearly defined and interconnected program-level goals, objectives, and student learning outcomes (Standard I)
- Minimal participation of external stakeholders and constituencies (Standard I)
- No formal policy or procedure for the use of assessment data in comprehensive planning (Standard I)
- Several member of the full-time faculty do not exhibit “a sustained record of accomplishment in research or other appropriate scholarship” (Standard 3.5)

With respect to the three items related to Standard I, the ARC reviewed each of these items in light of the evidence listed in the appeal as well as its own examination of the Program Presentation (February 2013), the External Review Panel Report (May 10, 2013), and the Program’s Response to the External Review Panel Report (May 20, 2013). The ARC concurs that the Program provided sufficient evidence that it has clearly defined and interconnected program-level goals, objectives, and student learning outcomes, adequate participation of external stakeholders and constituencies, and a formal policy or procedure for the use of assessment data in comprehensive planning.

However, the ARC review of the “COA letters of June 27, 2010, November 20, 2010, and April 14, 2012” also found that there are two other items related to Standard 1 that are identified by COA:

- “ways in which those outcomes are assessed and how those assessments are used in ongoing planning” (November 20, 2010)
- “measures of student learning outcomes are not evident” (April 12, 2012)

In addition, the April 12, 2012 letter indicates that the program must identify “how and where the program publicly provides evidence of assessment and evaluation of student achievement, as mentioned in Standards II.7 and IV.6.”

The Program did not assert that the COA decision in July 2013 was made in an arbitrary, capricious, or unsupported manner in finding the Program out of compliance with these additional items.

As such, the ARC finds that – while the Program provided adequate evidence relative to having a defined and interconnected set of goals, objectives, and outcomes, participation of stakeholders and constituencies, and policy/procedure for use of assessment data – the COA’s decision was supported on the additional items related to Standard 1 that the Program did not appeal. *The ARC therefore finds that the Program failed to meet its burden of proof in asserting that COA decision was arbitrary, capricious or not supported by significant, relevant information or evidence that the institution submitted and that the oversight resulted in an unfair decision.*

With respect to Standard III.5, the Program asserts that

The COA did not appropriately consider the evidence of compliance provided to the panel and inappropriately criticized the faculty for failing to complete a course of corrective action that the COA previously approved and which was, by its own terms, in the middle of implementation.

The ARC deliberated COA’s decision that the Program is out of compliance with Standard III.5 in light of the “Introduction” to the Standards. In particular, the Standards state that accreditation ensures, not only that the Program has “clearly defined and educationally appropriate objectives expressed as student learning outcomes,” but also that the Program “maintains conditions under which achievement of objectives can reasonably be expected” and “can be expected to continue to do so” (p. 3).

The ARC finds that COA did not base its decision on “failing to complete a course of corrective action that the COA previously approved and which was, by its own terms, in the middle of implementation” but on the evidence that the Program did not “maintain conditions under which achievement of the objectives can reasonably be expected.” *As such, the ARC finds that the COA decision was not arbitrary, capricious or not supported by significant, relevant information or evidence that the institution submitted in writing to the External Review Panel (ERP) and/or to the COA at the time of the review or before the decision. The ARC finds the Program failed to meet its burden of proof and, consequently, the appeal fails on this ground.*

Conclusion

The Program filing an appeal has “the burden of proving that the COA committed clear error in making its accreditation decision, that this error resulted in an unfair decision, and that the error falls within the grounds for appeal set forth in this document” (AP3-3, p. 59). After careful consideration and deliberation on the evidence presented, the Appeal Review Committee finds that the Program failed to meet its burden of proof. Therefore, the ARC recommends to the ALA Executive Board “to uphold the COA decision” (AP3-3) to withdraw accreditation from the Program.