

October 21, 2010

Dr. Elizabeth H. Sibolski  
President  
Middle States Commission on Higher Education  
3624 Market Street  
Philadelphia, PA 19104-2680

Dear Mrs. President:



On September 6, 2010, the University of Puerto Rico (UPR) submitted a Consolidated Monitoring Report (CMR) as requested by the Middle States Commission on Higher Education (MSCHE) following its June 24, 2010 Action to place 10 UPR Units on probation regarding two of its fourteen accreditation standards. The CMR comprises 11 monitoring reports, one section at the systemic level and ten sections, one for each unit, documenting evidence and progress in achieving and sustaining compliance with Standard 4, Leadership and Governance and Standard 11, Educational Offerings. The CMR also provides substantiation of the development of a long term financial plan, including steps taken to improve institution's finances and the development of alternative funding sources in alignment with Standard 3, Institutional Resources. Pursuant to MSCHE Guidelines for Follow-up Reports, both the Central Administration and the 10 units appended appropriate supporting documentation.

On September 12-16, the UPR received an onsite visit by the Visiting Team, and looked forward to a critical, balanced and constructive assessment consistent with the principles and values of accreditation, as an additional instrument to stimulate the concerted effort of all its constituents to emerge as a renewed and stronger institution. On October 14, 2010, the Visiting Team Final Report was received. Recognizing the value of feedback provided by peers in the framework of accreditation as a source for new ideas to enhance the ways devised by the institution to address its present challenges, the UPR accepts the requirements, recommendations and suggestions proposed in the Final Report, which are in accordance with the actions that resulted from the self assessment that led to the development of the UPR Action Plan and Unit Action Plans. The revised UPR Action Plan incorporating all requirements and recommendations is enclosed. As recommended in the Report (page 10), the University is fully committed to implement and assess the Plan, and the data used for continuous improvement of institutional processes.

The University wishes also to respectfully express to the Commission its concerns regarding the methodology and perceptions that frame some reported findings and conclusions, particularly given the complexity of the institutional context and issues at hand, as well as the diversity that characterizes the University of Puerto Rico system. The Report includes several generalizations and observations pointing at a lack of evidence on aspects that were substantially documented throughout the CMR, especially in the individual unit sections and complementary material (i.e., appendices, links to

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documentation, and exhibits, among others), which suggests that time constraints may have hindered their review. In addition, in many instances the Report conveys a different set of expectations than those laid out by the MSCHE President and Vice Presidents during the Guidance Visit, in relation to progress in the implementation of the activities in the UPR Action Plan, considering the short period of time allowed by the Commission to design and begin implementing the Plan and to prepare the CMR. Attached to this Institutional Response is a correlation of those instances where the Report states that no evidence was provided and the specific pages in CMR where the corresponding information was provided (see Appendix).

As stated in MSCHE Guidelines for Follow-up Reports and Visits, “both the institution and the Commission, are best served by a report that is candid, honest, clear, and forthright in its appraisal of the institution’s strengths and weaknesses and its compliance with Commission standards.” In that context, and the history of individual accreditation processes, the UPR anticipated a balance between systemic findings and those of individual units, including an appraisal of each, as the processes, strategies and initiatives to achieve and sustain compliance with accreditation standards vary across the system. The Report, nonetheless, focuses mostly on centralized issues, with some highlights on best practices identified at the unit level, mainly from interviews. For example, in the few instances in which unit issues are addressed, these seem to be based on comments received during the sessions or other sources.

#### *Guidance Visit, Consolidated Monitoring Report and Scheduled Team Visits*

On July 28, 2010, the UPR received a Guidance Visit by the President and two Vice Presidents of the MSCHE to offer orientation on preparing the Monitoring Report where the Commission’s specific expectations on reporting were explained. Dr. Elizabeth Sibolski, MSCHE President, explained that as a result of the increased emphasis on accountability under the 2008 Higher Education Act, this was the first time in MSCHE history that practically an entire university system is placed on probation.

When offering the presentation “Follow-up Reporting Expectations,” VP Dr. Mary Ellen Petrisko explained that “relatively short reports focused on the commission’s action with well organized appendices were generally the best approach.” Examples were given of documentation to be presented at the unit and central level to demonstrate compliance with Standards 4 and 11. It was also explained by VP Dr. Luis Pedraja that Standard 3 was to be “addressed in a preventive manner.” The Commission’s expectation was for the institution to document the identification of appropriate actions and steps taken so far to promote ongoing and sustainable compliance with Standards 4, 11 and 3 given the very limited 6-week period allowed by the Commission to develop the CMR.

Each UPR unit is individually accredited and, as clarified during the videoconference held on August 4, 2010 as a continuation of the Guidance Visit, could experience different Commission actions following the evaluation process. It was established by the

MSCHE President and Vice Presidents that in order to avoid duplication the UPR was to prepare separate unit reports that would converge into the CMR, provided that being a University system many of the requirements for complying with Standard 4 and the financial component of Standard 3 rely largely on systemic policies and procedures. This allowed unit sections to focus on their particularities regarding standards 3 and 4, and to a larger extent on compliance with Standard 11.

It was also established that the report's submission would be followed by a Team visit to evaluate the 10 units. This Team would request institutional documentation and analyze the viability of plans developed to address the Commission's concerns for each unit. In preparation for the Team Visit to the 10 units on September 14<sup>th</sup>, the UPR organized all unit's visit agendas following the model recommended by Dr. Pedraja, such that all evaluators were to be offered a presentation by the Chancellor, participate in interview sessions with key leadership, staff, faculty and students, and be able to examine additional evidence plus any documentation requested by the Team or deemed relevant by the institution. It was understood by the UPR that this design would provide the Visiting Team with a common baseline when reporting their findings and recommendations in a single Report, given the fact that only one or two members would visit each unit. In the case of Río Piedras Campus, UPR Humacao, UPR Bayamón and UPR Carolina, one Team member was accompanied by one MSCHE VP, and at the UPR Ponce and UPR-Cayey, one Team member was accompanied by the MSCHE Director of Communications and Public Relations. However, the original three hour agendas were not followed out in a similar manner throughout the units, as there were some where the presentation was not allowed and/or complementary documentation was not reviewed. The limited time allotment per unit may not have allowed sufficient time for Team members to perform their evaluations following the agendas as planned.

In that context, Section II of the Team's Report does not explain the methodology followed to examine and analyze information provided in the CMR, as well as during the visits, as suggested in MSCHE Template for Follow-up Reports 1-27-10. Diverse emphases and approaches were observed during the visits to the Central Administration and to the different units, such that the criteria to draw many of the conclusions and generalizations found in the Report are not clear. Likewise, as mentioned above, there is concern about some observations pointing at lack of evidence on aspects for which information was provided in the CMR and during the visits, or that could have been provided during the visit if requested.

The following clarifications by standard may be helpful for the Commission.

*Standard 3, Institutional Resources*

- The Team Report concludes that it: "is unable to confirm compliance with Standard 3, due to a lack of current financial data" (page 13).

As reported in the CMR, the Central Administration and the units have implemented measures toward securing the necessary financial stability to maintain academic excellence and the effective accomplishment of its mission and goals. Specific measures include reprioritizing finances, costs reduction, increasing and diversifying additional funding sources, as explained and evidenced in pages 20-24 of the First Section of the CMR and sections III.A, III.B of UPR Action Plan. As requested in the MSCHE letter to the President dated July 15<sup>th</sup> 2010, financial data was provided in the CMR, including financial audits for the past 4 years. The 2009 Audited report was issued on June 24<sup>th</sup> 2010, making it the most recent available to date.

Regarding the need for timely financial information, the CMR acknowledges and explains the extraordinary circumstances outside the control of the University that delayed the delivery of information concerning the 2010-2011 appropriations and budget process (First Section of the CMR, pages 6-7). The student stoppage precisely responded to the prospective financial measures considered by the University to face the projected decline in state appropriations resulting from the overall deficit of the central government. Correspondingly, the need to provide timely and accurate financial information is contemplated in the UPR Action Plan, with specific actions and activities in progress for improvement (First Section of the CMR, pages 14, 20). Following the Team's requirement, by October 31<sup>st</sup> UPR will have final trial balance for FY 2010 which ended June 30, 2010, and audited financial statements by December 31<sup>st</sup>, 2010.

The UPR appreciates the Team's acknowledgement to the effect "that the finance and budget personnel are competent leaders and are working on appropriate plans to deal with the fiscal challenges facing the system" (page 7). As they explained during their interview with Team members, in 2008 the University started implementing a new financial system software which contributed to the delay of the processing and delivery of some financial information. Among the activities underway is the evaluation of "the effectiveness of the Financial Information Systems Software (UFIS) in providing necessary financial information for budget development with feedback from affected parties throughout the system" (First Section of the CMR, page 21 and Section III.A of UPR Action Plan). This evaluation process is geared to restore the ability to generate individual financial reporting for the units, which was interrupted during the implementation of the new software. Expert consultants have been recruited to support the Finance Office to that end. Once this process is completed, approximately by January 2011, each individual unit will have the capacity to produce balance sheets and income statements on a timely basis.

#### *Standard 4, Leadership and Governance*

- The Team Report affirms: "However, we do note that the requirement of consultation as described in Standard 4 goes beyond simply meeting with various constituency groups. Rather, there needs to be clear evidence that input is not only solicited but is considered in the decision making process. Additionally, simply stating an open door

policy does not make it truly open. To foster this in a tangible way, the Visiting Team urges all UPR senior administrators to conduct campus visits and hold listening sessions at each for all constituency groups. Such actions will begin the process of building trust and opening honest, transparent dialog” (page 7).

Standard 4 of the First Section of the CMR (pages 14-19), as well as Part I.A of the Action Plan (pages 1-3), stress in its Goal and several actions therein, the purpose of promoting “productive communication” with all sectors of the University Community, to stimulate the needed climate of trust, which clearly reveals the commitment of going “beyond simply meeting”.

University leadership and governance structure is highly inclusive and provides means to channel ideas from faculty and students through Student Council meetings, Faculty meetings, and through their representatives to the Academic Senates, Administrative Boards, the University Board and the Board of Trustees. Conversely, the roles and responsibilities of faculty and student representatives include keeping their constituents informed of the proceedings in these forums. As a result of the critical self assessment of the events and circumstances that led to the Commission’s action, the UPR Action Plan establishes as a main goal to revisit the roles and responsibilities of all constituents of the leadership and governance to further ensure their effective participation in carrying out the institution’s mission (Section I.C, UPR Action Plan).

As reported in the CMR, during the student conflict University leaders engaged in dialog with student leaders in the pursuit of solutions to put an end to the stoppage, which resulted in the agreements contained in Certification No. 131 (2009-2010) of the Board of Trustees. Necessary steps to fully honor these agreements are substantially evidenced throughout the Report (First Section of the CMR page10, Section I.C UPR Action Plan).

Efforts to provide additional means for input are being implemented including: (1) President’s electronic posting of Summer Offer Policy Development ([http://acweb.upr.edu/docs/presidencia/com\\_univ\\_estandar.PDF](http://acweb.upr.edu/docs/presidencia/com_univ_estandar.PDF)) and Exemption policy ([http://acweb.upr.edu/docs/presidencia/EXENCIONES\\_DERECHOS\\_MATRICULA\\_EN\\_UPR1.pdf](http://acweb.upr.edu/docs/presidencia/EXENCIONES_DERECHOS_MATRICULA_EN_UPR1.pdf).) for community feedback; (2) UPR pages on Facebook, Twitter, YouTube and UPRInforma ([http://acweb.upr.edu/docs/Prensa/Ya\\_son\\_mas\\_de\\_20\\_mil\\_personas.pdf](http://acweb.upr.edu/docs/Prensa/Ya_son_mas_de_20_mil_personas.pdf)) provide information and opportunities for community participation. Furthermore, the electronic vote currently being implemented in compliance with State Law will increase student participation in providing input on the issues that affect them.

The suggestion to conduct campus visits to hold listening sessions is very welcomed and already incorporated in the UPR Action Plan, since it enriches and adds dimension to actions in the same spirit already contemplated in Section I.A of the Plan, to hold local and systemic meetings with student leadership to broaden and strengthen opportunities for effective communication. Following an initiative by the Student Trustee, on October 6, 2010, the Student Affairs Committee of the Board of Trustees including the

President of the Board, met with student representatives to the University Board and Student Council leaders, to gain direct knowledge of their main current concerns. Besides, as scheduled in the Plan, the President and his Staff will be meeting with the newly elected leaders of the Student Councils and Academic Senates of the system on Friday, October 22, 2010.

- The Team Recommends: “That clear communications regarding the need and purpose of the 7 Ad Hoc Committees be developed and shared with all constituents, that the campuses be brought into the process of membership selection and in developing the charge to the Committees, that the processes used by the Committees be open and transparent, that their relations to existing structures be made explicit, and that the Board be fully briefed (page 10).

Since the Exit Meeting the University fully welcomed and is already actively implementing recommendations to guarantee broad participation of the internal and external community in membership selection and further developing the charge to the Committees, and that processes to be used by these Committees be open and transparent. To that end, an open invitation will be published to convoke potential candidates from the internal and external community. In keeping with his roles and responsibilities, the President will keep the University Board and the Board of Trustees informed of the consideration and appointment of members, progress and recommendations of the committees, as well as bring to their consideration those recommendations that may entail the review or implementation of institutional policies.

The UPR Action Plan assigns each Ad Hoc Committee’s: (1) main charge; (2) the officer or body responsible for receiving, considering/approving, and implementing their recommendations, in line with the officer or body roles and responsibilities; (3) expected outcomes; and (4) the timeframe for their task. As explained to the Team during their visit to Central Administration, these committees will have a temporary advising role and will have neither leadership nor governance responsibilities. These workgroups will be assembled exclusively to execute their charge, which in all cases is to analyze and submit recommendations on key institutional issues from an independent point of view based on their expertise and experience. There are numerous precedents throughout the years of the appointment of special committees by the President to perform specific and special tasks to serve the institution.

- The Team comments that: “it was difficult for the Visiting Team to establish whether the full Board is equally aware of the fiscal issues facing UPR. Although the chair of the finance committee was knowledgeable, the fact that only a select group of Board members were invited to meet with the Team made broader assessment of Board knowledge impossible” (page 8).

The Board of Trustees has been immersed in its responsibility of addressing the institution’s financial state. Economic measures adopted by the Board include, among

others, the implementation of a Stabilization Fee and the review in progress of tuition exemption policies within the framework of the agreements with students contained in the aforementioned Certification No. 131. Through Certification No. 12 (2010-2011) the Board established its ten work committees for academic year 2010-2011. Given its importance, the Financial Affairs Committee has more members than the other committees, namely, 9 out of 17 members. This Committee meets once or twice monthly and reports to the full Board, as evidenced in the agendas and minutes of the thirteen meetings held during 2009-2010 and the four meetings already held during the current academic year, which explicitly address UPR finances.

On April 17, 2010 the Board organized a workshop ([www.intelligenceforecasting.com](http://www.intelligenceforecasting.com)) for all of its members to address UPR financial constraints and to review and strengthen the roles and responsibilities of the Board in this area. Another workshop is being scheduled with a resource from the Association of Governing Boards of Universities and Colleges (<http://www.agb.org/consulting>), mostly for the benefit of its newly appointed and elected members.

During the Guidance Visit held on July 2010, as well as during the September 2010 visit, the Vice President of the Board of Trustees explained to the President and the Visiting Team respectively, the decision making process for the selection of members to attend these meetings in keeping with their internal rules and regulations. The same process was followed for meetings of Board members with MSCHE representatives held in October 2009 and January 2010. As acknowledged by MSCHE VP Dr. Luis Pedraja, October 2009 was the first time in his relationship with UPR that a President took the initiative of having Board members meet with institutional accreditation officials.

#### *Standard 11, Educational Offerings*

- The Team stated: “Each institution is commended for putting in place opportunities for students to complete their studies” (page 12).

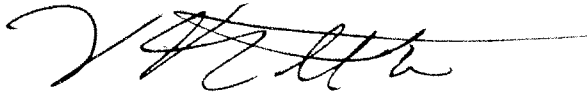
UPR appreciates the commendation which demonstrates that in spite of a 62-day student stoppage the institution complied with the length, content, and rigor of all its academic offerings. This confirms once more the level of commitment of the overall University constituency with the core of its mission.

Recommendations regarding Standard 11 are in agreement with the UPR Action Plan. The best practices outlined in the units’ sections of the CMR, some of which were highlighted in the Report, as well as the findings of the recommended measures to further assess the impact of the interruption on student learning, will be used for the development of the policy guidelines contemplated in Section II.A of the Action Plan, geared to ensure the effective accomplishment of learning goals.

Likewise, the President, Staff and Chancellors are actively developing a contingency plan to ensure continuity of academic programs and institutional operations, which includes a communication plan both at the unit and central levels.

The University wishes to thank the Visiting Team members for their time and feedback which enhance the efforts already in progress by the institution for ongoing and sustained compliance with MSCHE standards of excellence. As previously stated, the University is fully committed to implement and assess the Action Plan, and the data used for continuous improvement of UPR processes.

Cordially,

A handwritten signature in black ink, appearing to read 'José Ramón de la Torre', with a long horizontal flourish extending to the right.

José Ramón de la Torre

Enclosures

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c Ms. Ygrí Rivera, Esquire  
Chancellors of the University of Puerto Rico