

SECTION: 8
DATE: December 8, 2015

BOARD OF REGENTS
EASTERN MICHIGAN UNIVERSITY

RECOMMENDATION

FACULTY AFFAIRS COMMITTEE: APPROVAL OF AGENDA AND MINUTES

ACTION REQUESTED

It is requested that the Faculty Affairs Committee Agenda for December 8, 2015 and the Minutes of the October 13, 2015 meeting be received and placed on file.

STAFF SUMMARY

The topics for the December 8, 2015 Faculty Affairs Committee meeting are EAA Assessment and Analysis by the Faculty, and Education Summit

FISCAL IMPLICATIONS

There is no fiscal impact.

ADMINISTRATIVE RECOMMENDATION

The proposed action has been reviewed and is recommended for Board approval.

University Executive Officer

Date

EASTERN MICHIGAN UNIVERSITY
Board of Regents
Faculty Affairs Committee

December 8, 2015
8:30am – 9:15 am
205 Welch Hall

AGENDA

Section 8: Agenda and Minutes (*Regent Webb*)

Discussion Topics:

- EAA Assessment and Analysis by the Faculty
- Education Summit

EASTERN MICHIGAN UNIVERSITY
BOARD OF REGENTS

FACULTY AFFAIRS COMMITTEE MINUTES

October 13, 2015
8:45 a.m. – 9:30 a.m.
205 Welch Hall

Attendees (seated at tables): Regent Beagen (Vice Chair), H. Bunsis, J. Carroll, D. Clearwater, F. Fedel, P. Francis, J. Kindred, J. Kullberg, M. McVey, S. Moeller, S. Norton, J. Palladino, Interim President and Provost Schatzel, Regent Webb (Chair) and M. Yaya.

Guests (as signed in): K. Dobson, A. Dow, A. Fox, G. Hage, J. Hunsberger, W. Kraft, B. Kubitskey, K. Kucera, M. Laporte, A. Martin, S. McMullen, M. Nair, M. Qatu, K. Rusiniak, M. Saylor, C. Sanders, W. Tornquist, D. Turner, T. Venner, T. Waltz and M. Werner

Regent Webb opened the meeting at 8:45a.m.

Report and Minutes (Section 10)

Regent Webb requested that the Faculty Affairs Committee Agenda for October 13, 2015 and the Minutes of the March 17, 2015, meeting be received and placed on file.

Discussion Topic –

Susan Moeller, EMU/AAUP President, introduced Michael McVey, Associate Professor Teacher Education, Frank Fedel, Assistant Professor of Health Promotion and Human Performance and Jennette Kindred, Associate Professor Communication, who gave a presentation on “Faculty and Instructional Technology.” The presentation focused on cutting-edge technologies including teaching tools and 3D printing, as well as faculty-identified classroom technology needs.

Regent Webb thanked all and adjourned the meeting at 9:30 a.m.

Respectfully submitted,

Debbie Clearwater
Executive Assistant
Office of the Provost
Academic and Student Affairs

**MEMORANDUM: REVIEW
OF THE AGREEMENT
BETWEEN EMU AND THE
SCHOOL DISTRICT OF THE
CITY OF DETROIT**

CHARGE

- To review whether substantial progress has been made in the following areas:
 - A stronger partnership is forged between Eastern Michigan University and the EAA;
 - Demonstrated student achievement and progress in EAA schools;
 - Fiscal Accountability;
 - Complete transparency of all activities, including prompt and appropriate responses to requests made under the Freedom of Information Act

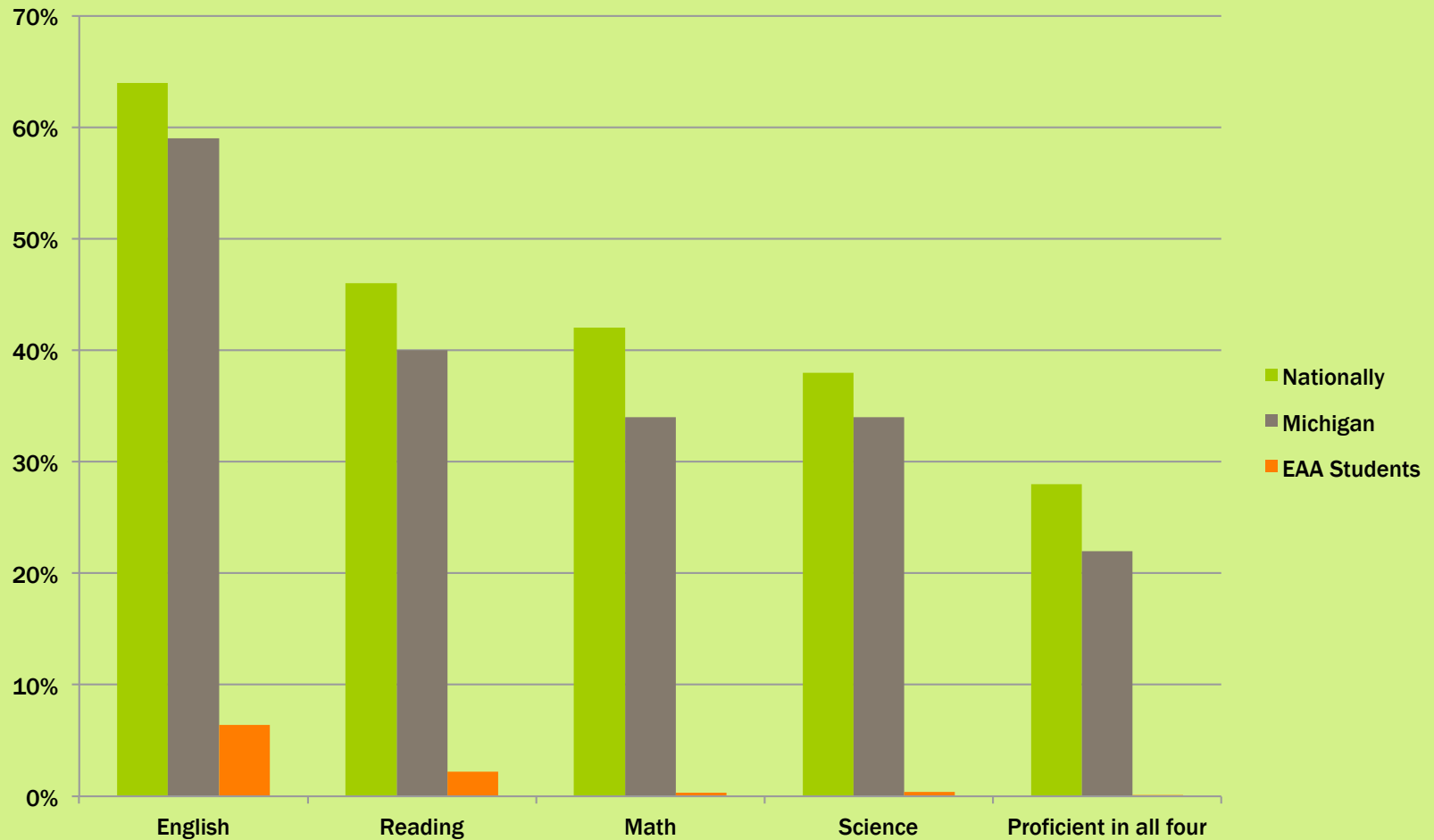
A STRONGER PARTNERSHIP BETWEEN EMU AND THE EAA

- Former partnerships have dissolved
 - Evidence: Writing Project and Project Lead the Way
- Missed opportunities to build new partnerships
 - Evidence: teacher and principal coaching and leadership development
- Conclusion: No substantial strengthening in the partnership, some evidence of weakening

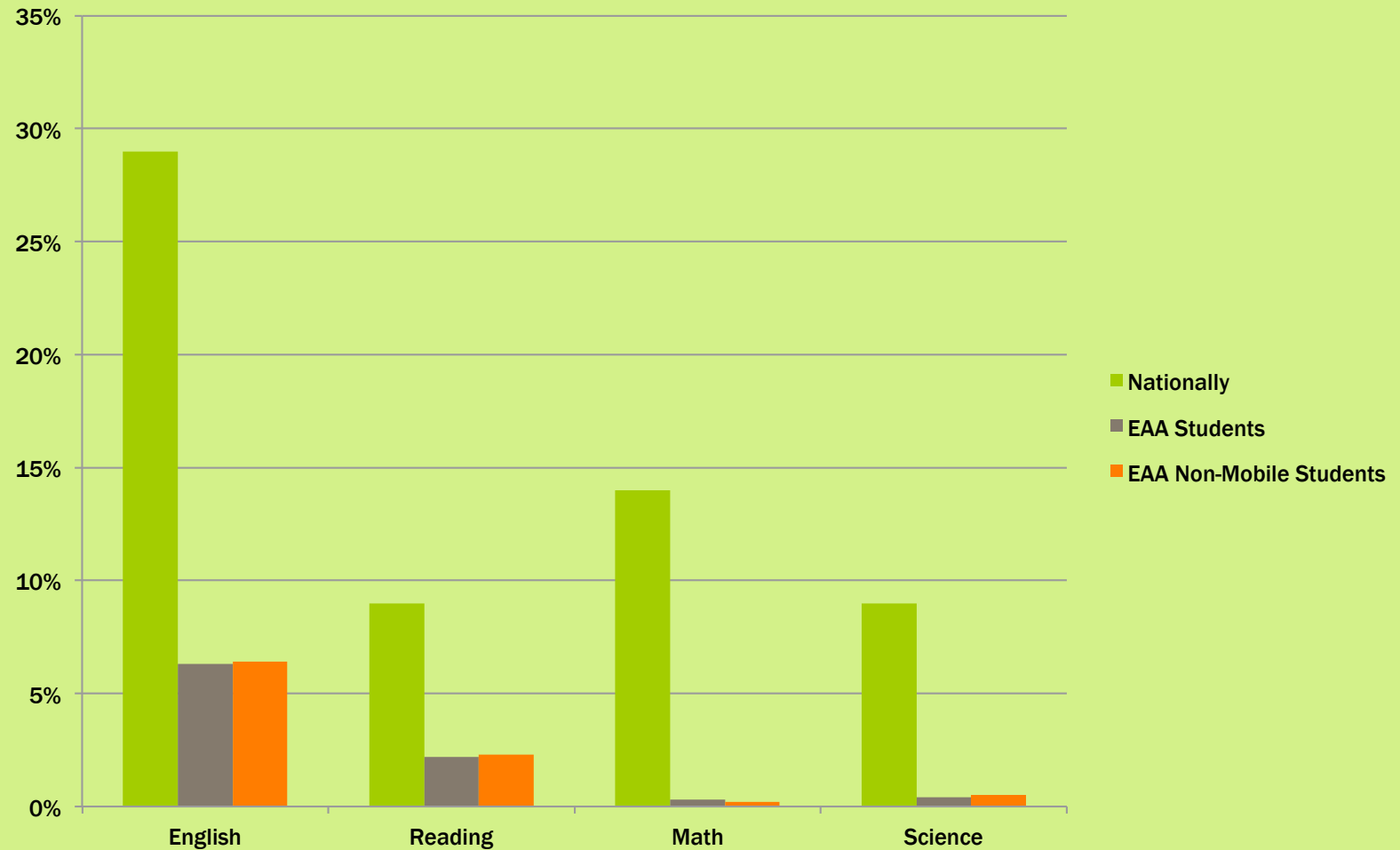
DEMONSTRATED STUDENT ACHIEVEMENT AND PROGRESS IN EAA SCHOOLS

- Data files provided included only one test that was administered over the past year: the ACT (Spring 2015)
- Previous data have been analyzed elsewhere (see exhibit 3)
- The ACT scoring guidelines and norms were used to determine percent of students proficient (see exhibit 4)

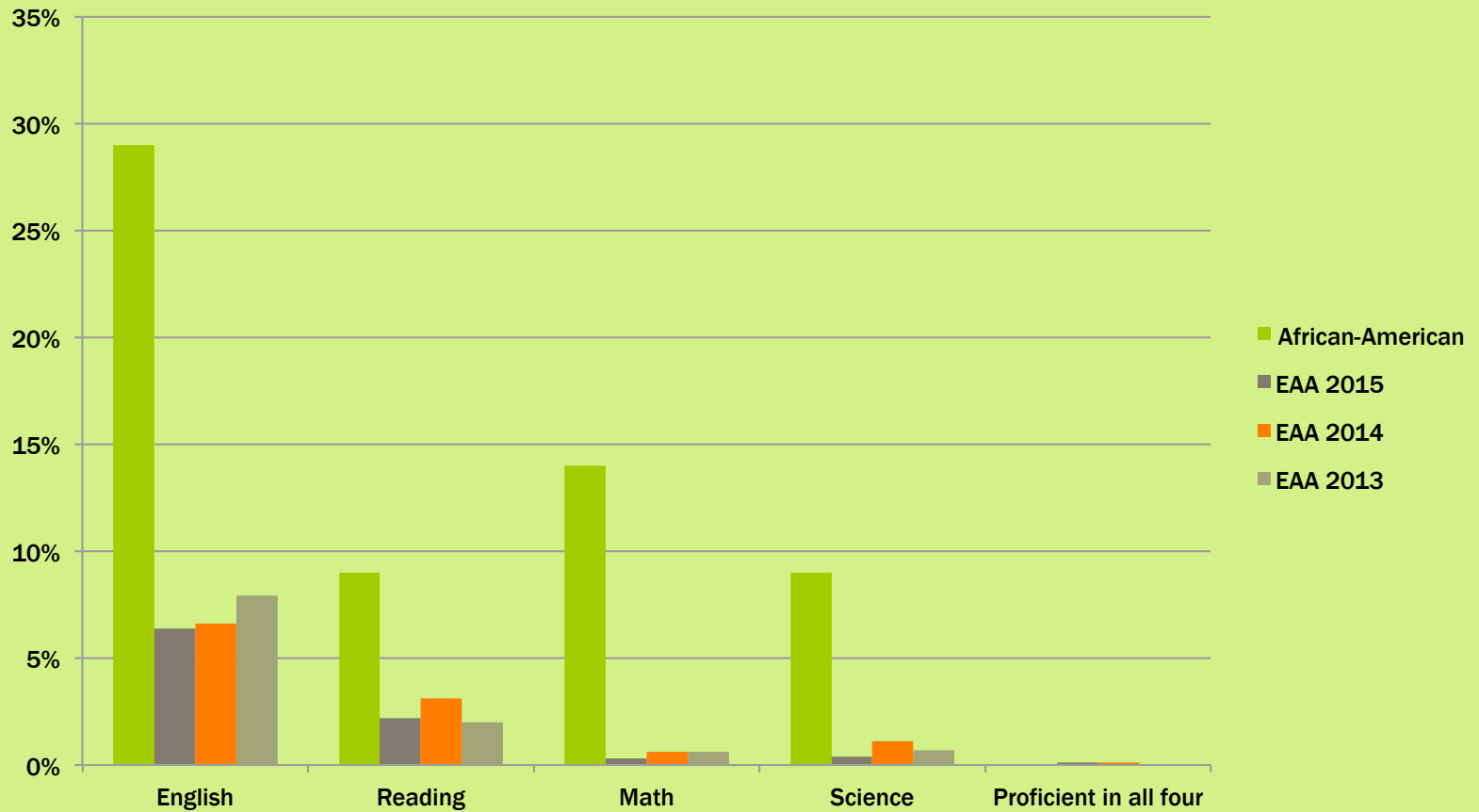
STUDENT ACHIEVEMENT: OVERALL



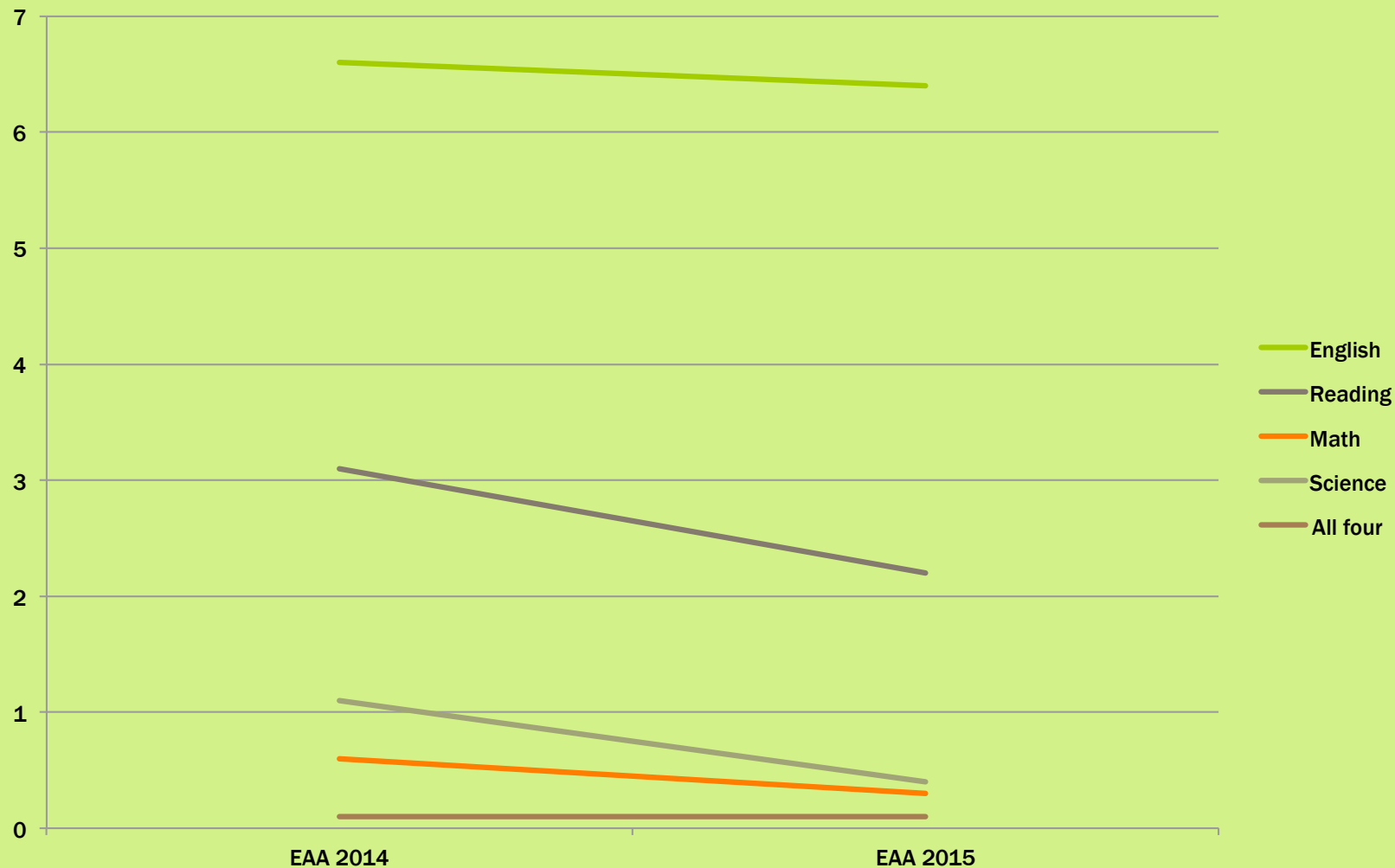
STUDENT ACHIEVEMENT: COMPARED TO AFRICAN AMERICAN PROFICIENCY



STUDENT ACHIEVEMENT: TREND OVER TIME



STUDENT ACHIEVEMENT: EAA ONLY TREND OVER EVALUATION TIME



DEMONSTRATED STUDENT ACHIEVEMENT AND PROGRESS IN EAA SCHOOLS

- EAA students perform poorly in English, Reading, Math, and Science when compared to National, State, and Demographic norms. (see figures 1 & 2)
- Achievement for EAA students does not substantially improve over time (see figures 3 & 4)
- Conclusion: Students do not demonstrate proficiency or progress in achievement, as measured by the ACT. In fact they decline over the period of review (2014-2015).

FISCAL ACCOUNTABILITY

- Dr. McVey

COMPLETE TRANSPARENCY: RESPONSES TO FOIA REQUESTS

- Limited time to thoroughly review all FOIA requests
- Still significant delays in responding to FOIA requests
 - Evidence: Tolbert Case (February-October 2015)
- Conclusion: The substantial length of time to respond to the FOIA request by Mr. Talbert (248 total days, or 171 business days) does not appear to meet the threshold of transparency and prompt and appropriate response to all FOIA requests by the EAA set forth in the EMU Board of Regents' motion of December 5, 2014.

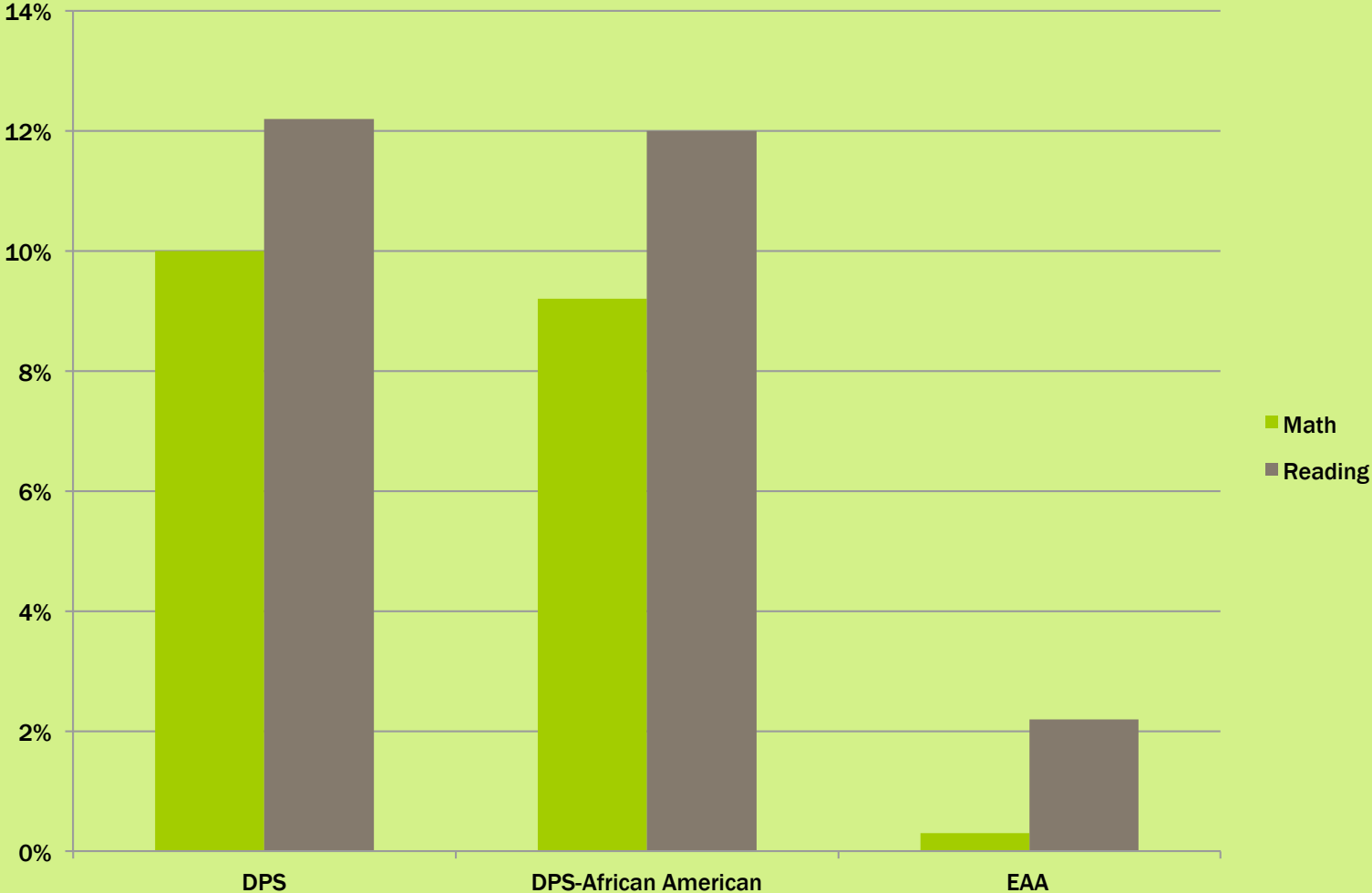
SUMMARY OF FINDINGS

- We found no substantial progress in any of the following areas:
 - A stronger partnership is forged between Eastern Michigan University and the EAA (ending of some partnerships and lost opportunities);
 - Demonstrated student achievement and progress in EAA schools (substantially low scores and declines over the evaluation period);
 - Fiscal Accountability (weak financial management over time);
 - Complete transparency of all activities, including prompt and appropriate responses to requests made under the Freedom of Information Act (Tolbert case)

CONCLUSION: WITHDRAWAL IMMEDIATELY

- **The Authority has failed:**
 - To meet any of the established benchmarks outlined by the EMU Board of Regents in December, 2014
 - To fulfill obligations under several sections of the Interlocal Agreement:
 - Section 7.05 (Freedom of Information Act) which demands adherence to requirements under FOIA; and
 - Section 7.11 (Transparency) which requires that the “powers, duties, rights, obligations, functions, and responsibilities” of the Authority be administered in “a transparent and open manner that encourages public oversight, civic participation, and citizen engagement.”
- **Damaged the reputation of Eastern Michigan University:**
 - Boycotts of student teachers from EMU that began in Fall of 2013

SUPPLEMENTAL GRAPH: PERCENT PROFICIENT IN MATH AND READING



On December 5, 2014, the Eastern Michigan University Board of Regents passed a motion to continue their Interlocal agreement with the School District of the City of Detroit, which is necessary for the existence of the Education Achievement Authority.

The Board of Regents gave one year's notice of their intent to give 180 days' notice to withdraw from the agreement, effective June 30, 2016, unless substantial progress was made in the following areas:

- A **stronger partnership** is forged between Eastern Michigan University and the EAA
- Demonstrated **student achievement** and progress in EAA schools
- **Fiscal Accountability**
- **Complete transparency** of all activities, including prompt and appropriate responses to requests made under the Freedom of Information Act

Stronger partnership

- No evidence that partnerships have strengthened in the last year
- The EAA has entered into other partnerships over the past year
- One example is the \$1.7 million agreement between the EAA and the School Empowerment Network (SEN) for teacher and principal coaching and leadership development.
- These types of trainings are often given by EMU faculty in the College of Education.

Stronger partnership

The paucity of partnerships forged between EMU and the EAA demonstrate failure to meet the first criteria for improvement established by the EMU Board of Regents.

Student achievement

Fiscal accountability

- The EAA has no taxing authority and relies almost exclusively on state support for its operations.
- The EAA is leasing the buildings from DPS at a rate of \$1 per year plus \$950 annually for each Detroit resident student attending an EAA school.
- The EAA granted charters to three of the schools and acts as their fiscal agent accountable for providing oversight and compliance.
- EAA employees do not participate in the Michigan Public School Employees Retirement System (MPERS) defined benefits plan but are provided a defined contribution plan with an employee match up to 7.5 percent.

Fiscal accountability

- In 2013-14, the EAA received \$46.41 million in state foundation allowance and \$11.76 million in grants from non-profit organizations.
- The 2014-15 budget anticipated 62.5 percent of revenue in state sources and 35 percent in federal sources with 2.5 percent other sources.
- Approximately 52 percent of the EAA General Fund revenue is from student enrollment (foundation allowance).
- By 2014-15 EAA schools enrolled 7,507 students (down 2,500 students from the previous year). They project 7,015 students for next year.

Fiscal accountability

- Both the year end audit of the 2012 and 2013 fiscal years noted material internal control weaknesses.
- In the fiscal year 2013 audit of the Michigan Educational Choice Center (charter school), the audit noted material non-compliance by the Academy with the Michigan Uniform Budget and Accounting Act.
- As of June 30, 2014, the EAA reported a deficit fund balance in the General Fund which is a violation of state law. The EAA is required to develop a **deficit elimination plan** which must be filed with the Michigan Department of Education for their approval.
- EAA officials indicated that the deficit was caused in large part by the deferral of revenues not received within 60 days of the end of the year and the deficit was expected to be eliminated going forward.

Fiscal accountability

- The EAA has experienced weak financial management over time, and has experienced material weaknesses in its internal controls.
- These weaknesses have led to difficulty in procurement, accountability, and transparency and has resulted in fraudulent activity with some key employees currently under investigation by the FBI.
- The EAA continues to lose enrollment as negative perceptions are causing parents to seek other options for their children. The long term loss of student membership aid, coupled with the eventual end to large start-up grants will make future financial viability of EAA schools problematic.

Complete transparency

Conclusion

Despite timeline limitations, our analysis of the information provided as well as additional material within the public domain indicates that the Educational Achievement Authority has **FAILED TO MEET ALL CRITERIA** established in the Eastern Michigan Board of Regents motion passed on December 5, 2014, and therefore we recommend termination of the agreement between EMU and the EAA.