

**Review of courses in the
Department of African and Afro-American Studies,
College of Arts and Sciences**

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May 2, 2012

Background and Context

The University and the National Collegiate Athletic Association (NCAA) began an investigation in June 2010 with regard to information that indicated several football student-athletes had received impermissible extra benefits. In that investigation, the University discovered and self-reported to the NCAA academic issues relating to a former student-tutor and academic mentor.

In November, 2010, the NCAA ruled a student-athlete permanently ineligible to play football. On July 1, 2011, the student-athlete filed a lawsuit against the University and NCAA seeking reinstatement to the team. Attached to the complaint was a paper with a cover sheet indicating that the paper had been submitted for a Swahili 403 class: Professor Julius Nyang'oro's name was on the paper as the instructor. A week later, the media widely reported multiple examples of apparent plagiarism in the now publicly available paper.

In August, 2011, the University received a media request for information regarding student-athletes and courses in the Department of African and Afro-American Studies, particularly including the course AFAM 428 taught by Professor Nyang'oro, Chair of the Department of African and Afro-American Studies, in Summer Session II, 2007. As reported in a subsequent news article, a reporter had received, from an unnamed source, what was said to be a partial transcript for a former football student athlete who first enrolled at UNC-Chapel Hill that term. The document published in the newspaper indicated that the student-athlete had taken AFAM 428 in Summer Session II, 2007, and received a B+. It also showed that he subsequently enrolled in English 100, Basic Writing, in the Fall 2007 semester.

Senior Associate Dean Jonathan Hartlyn questioned Professor Nyang'oro about these issues. Professor Nyang'oro stated that he did not teach the Swahili 403 course. He conjectured that a former department manager may have played a role in making that course and possibly others available.

The University notified the NCAA because new issues had been identified that involved student-athletes. An internal working group composed of Jack Evans, former faculty athletics representative, Jonathan Hartlyn, and Leslie Strohm, University Counsel, was formed. It proceeded to review relevant documents, including records of student course work. It focused, in particular, on student-athletes who had taken multiple courses within the Department. The group also interviewed a sample of students and Department faculty. No instance was found of a student receiving a grade who had not submitted written work. No evidence indicated that student-athletes received more favorable treatment than students who were not athletes. In addition, no information was found to indicate that the Department personnel involved in these courses received a tangible benefit of any kind, beyond their standard University compensation. However, serious course anomalies were identified.

The Dean of the College of Arts and Sciences, Karen Gil, immediately launched a thorough inquiry and requested that it cover the four-year period commencing summer 2007 and running through summer 2011. Dean Gil charged Hartlyn and Senior Associate Dean William L. Andrews to conduct a comprehensive review of all courses taught in the Department of African and Afro-American Studies during this timeframe. This report, and its findings and recommendations, conclude the review.

Dean Gil also accepted Professor Nyang'oro's resignation as department chair on August 30, 2011.

At the same time as the department review began, Dean Gil also charged Bobbi Owen, the Senior Associate Dean for Undergraduate Education, and the Administrative Boards of the College to review College-wide policies and practices on independent studies and directed readings courses. Specifically, she asked the committee to make recommendations regarding (1) expectations concerning student assignments and contact hours with professors or teaching assistants in independent study courses, (2) conditions and approval processes for a course approved as a lecture or seminar course to be delivered in an alternative format, and (3) the process by which a course taken as independent study or directed reading is submitted to the Administrative Boards for review for approval as a permanent course with its own assigned number.

The Department of African and Afro-American Studies

The Department of African and Afro-American Studies in the College of Arts and Sciences emerged in 1997 from the Curriculum in African and Afro-American Studies. The Curriculum was formed in 1979-80 by merging the Curriculum in African Studies, established in 1969, and the Curriculum in Afro-American Studies, established in 1972. Julius Nyang'oro joined the faculty in 1988, chaired the Curriculum beginning in 1992, was appointed Department Chair in 1997, and was reappointed in 2002 and again in 2007, and served until his resignation in 2011. Evelyne Huber, Department Chair of Political Science, was immediately appointed as Interim Chair of the Department of African and Afro-American Studies. On January 1, 2012, Eunice Sahle, a faculty member in the department since 2001 with a joint appointment in the Curriculum in Global Studies, was appointed as Department Chair for a five-year term.

The department currently has 15 tenured and tenure-track professors, including 4 professors, 8 associate professors, and 3 assistant professors. In addition, it has 1 senior lecturer and 5 lecturers, one of whom holds the title of adjunct assistant professor. During the period of this review the department had two staff members: Agatha Buell, the department manager, who joined the staff in the summer 2010 and S. Travis Gore, student services specialist, who joined the department in August, 2001. The former department manager, Deborah Crowder, held various positions in the department for 30 years, from her appointment as department secretary in 1979 until her retirement as department administrative support associate in September 2009. Adam Kent served as interim department manager between Ms. Crowder's retirement and Ms. Buell's arrival.

The department is an integral and important part of the College of Arts and Sciences. Its talented and dedicated faculty make many contributions to the University's research, teaching, and service missions. The department has over 95 declared majors and enrolls thousands of students each year in its curricula in the study of Africa, the African diaspora and the African-American experience, and in its language programs.

Review Process

On September 2, 2011, Hartlyn and Andrews (the "review committee") commenced their comprehensive review of all courses in the Department of African and Afro-American Studies from Summer Session I, 2007 through Summer Session II, 2011. Dean Gil's charge was to:

- determine those courses in which anomalies or irregularities existed, if any;
- identify possible patterns and explanations;
- recommend follow-up actions and measures as appropriate; and
- provide initial recommendations regarding policies and procedures to prevent any identified anomalies or irregularities from occurring in the future.

Hartlyn and Andrews obtained from the Office of the Registrar all grade rolls and change of grade forms (COGs) for courses listed in the Department from summer 2007 through summer 2011, and sorted them by instructor and term. The review included courses taught in African-American Studies (AFAM), African Studies (AFRI), Swahili (SWAH), Lingala (LING) and Wolof (WOLO).¹ It also included continuing education course sections in these subjects offered by the department's main teaching faculty through the Friday Center for Continuing Education.

Hartlyn and Andrews, or in a few cases Hartlyn alone, interviewed all 15 tenured and tenure-track department faculty, as well as an adjunct faculty member who has taught frequently in the department, the department's senior lecturer, and its 5 lecturers. Current department staff were also asked to provide information. Several people were interviewed more than once to clarify questions that emerged during or following their initial interviews.

Findings

The review committee made the following findings regarding courses offered in the Department of African and Afro-American Studies from Summer Session I, 2007 through Summer Session II, 2011.

Finding 1: Office of the Registrar records indicate that a total of 616 courses were offered by the Department from summer 2007 through summer 2011, with a total of 14,234 registered students (as of census date).

From summer 2007 through summer 2009, 9 of these 616 courses (8 during summer sessions) with a collective total of 59 registered students were found to be *aberrant*: there is

¹ The department started offering Chichewa (CHWA) courses only recently, and enrollments remain low.

evidence that students completed written work in these courses, submitted it to the department and received grades, but no evidence that the faculty member listed as instructor of record or any other faculty member actually supervised the course and graded the work, although grade rolls were signed and submitted. The Swahili 403 course referenced above under “Background and Context” was one of these 9 courses.

In this same period from summer 2007 through summer 2009, an additional 43 courses (29 during summer sessions) with a collective total of 599 registered students were *either* aberrant, as defined above, *or* were *taught irregularly*, by which we mean: the instructor provided an assignment and evidently graded the resultant paper, but engaged in limited or no classroom or other instructional contact with students. Professor Nyang’oro was listed as the instructor of record or his name was listed on the grade rolls for each of these 43 courses.

The review committee found no *aberrant* courses offered after Summer Session II, 2009. Two courses (1 during a summer session) with a collective total of 28 registered students may have been *taught irregularly* (as defined above) after Summer Session II, 2009. Professor Nyang’oro was listed as instructor of record for both courses.

As noted above, the internal working group had found that students enrolled in the aberrant and irregularly taught courses completed written work, such as abstracts and research papers, and submitted this work for a course grade. The work in these cases was typically submitted to departmental administrative staff, either in person or via email. Students who submitted this work received final course grades. No instance was found of a student receiving a grade who had not submitted written work. However, because of limited records and the passage of time, it was not possible to review the work of *all* students in *every* course.

Given the limits of available evidence, we were unable to identify who evaluated the written work and submitted the assigned grades in the aberrant courses or in some instances in the irregular courses.

Finding 2: From Summer Session I, 2007 through Summer Session II, 2009, grade rolls for 9 courses with 59 registered students, noted in Finding 1, were submitted to the Office of the Registrar with faculty signatures that appear to be forged. The faculty members whose names appear on those grade rolls stated that they did not teach the courses in question and that the signatures on the submitted documents are not in their handwriting. In addition, several faculty members also identified unauthorized change of grade forms submitted in courses for which the faculty member was listed correctly as instructor of record. No grade rolls with unauthorized faculty signatures were identified for courses taught after Summer Session II, 2009. Except for one disputed case, no unauthorized change of grade forms were identified by department faculty for courses taught after Summer Session II, 2009.

Finding 3: Lax Departmental administrative oversight and practices enabled irregularities in several areas, frustrating the review committee’s efforts to reconstruct exactly what transpired.

- a. *Independent Study Courses.* It was the department's practice to list under a single instructor of record on an official grade roll multiple independent study students who were presumably taught by different instructors of supervision. This practice made it difficult for the review committee to determine precisely which faculty member supervised each independent study student in question. In a number of cases, it was impossible to match definitively a particular student with a faculty member who remembered supervising that student's work, even if the faculty member remembered working with other students listed on the official course grade roll. The department also had no policies limiting the number of independent study students a faculty member could work with in any given semester or defining how much faculty-student interaction was expected in courses taught in an independent study format.
- b. *Temporary Grades.* UNC-Chapel Hill instructors are permitted to assign temporary grades at the end of a semester when a student has made regular progress in a course, but, for reasons acceptable to the instructor, has not fully completed the required coursework by the end of the semester. In such cases, the student is expected to complete and provide the course work to the instructor in a timely manner consistent with university policy. Through the summer 2009, grade rolls for independent study and other courses listing Julius Nyang'oro as the official instructor of record and grade rolls with his signature (authorized or not) had a strikingly high percentage of temporary grades (26%), which were subsequently converted to permanent grades via change of grade forms. We were unable to confirm in every instance who converted the grades or signed the change of grade forms. In addition, in several cases pertaining to independent study grade rolls for which other faculty members were listed as instructors of record, it is unclear who authorized the conversion of temporary grades to permanent grades, as the instructors of supervision, when they could be identified, could not consistently attest to their having authorized the assignment of the permanent grades.
- c. *Unauthorized Grade Changes.* In reviewing official grade rolls for courses they had taught or for which they were listed as official instructor of record, several faculty members disputed grade changes made on grade rolls submitted by the Department office for transmittal to the Office of the Registrar. These faculty members stated that they had not authorized such grade changes, nor were they aware of who provided such authorization. No unauthorized grade changes on official grade rolls were identified after Summer Session II, 2009.

Finding 4: Insufficient mechanisms of accountability within the department, the large number of students involved, poor record keeping, the passage of time, and the absence of clear policies, such as a policy spelling out the responsibilities of faculty members supervising independent study courses, stymied the review committee's efforts to identify those responsible for unauthorized submission of grade rolls and unauthorized changes to grade forms.

Finding 5: Testimony from various faculty members suggested that, given lax departmental administrative practices, a department administrator would have the means and opportunity to create irregular courses; to encourage and facilitate student enrollment in

independent study or directed reading courses; and, prior to the Fall 2010 implementation of a new computerized student records system, to submit official paper grade rolls to the Office of the Registrar. All key paperwork related to department course registrations and grade rolls flowed directly through the department administrator's hands to the Office of the Registrar.

Deborah (Debbie) Crowder, the long-term administrator for the department, retired in September, 2009. No aberrant courses or unauthorized grade roll changes were found for any courses taught after Summer II, 2009.

Ms. Crowder declined requests for interviews, and her retirement limits the University's ability to compel her cooperation. Without her testimony or additional evidence, Ms. Crowder's role in the irregularities identified here cannot be determined definitively.

Finding 6: As Department Chair and Ms. Crowder's supervisor, Professor Nyang'oro gave Ms. Crowder extensive authority and responsibilities. The existence and persistence of the irregularities point, at a minimum, to his inadequate supervision of Ms. Crowder and his failure to provide appropriate oversight or follow-up of departmental practices.

Finding 7: No evidence emerged during the review that directly implicates any faculty or staff other than potentially Professor Nyang'oro or Ms. Crowder in the creation of aberrant or irregularly taught courses, or in recording or changing student grades in these courses.

Personnel Matters and Recommendations

Both members of the review committee have been professors at the University for over 15 years and have served as department chairs in the College of Arts and Sciences. We are deeply disturbed by what we have learned in the course of our review. Our review has exposed numerous violations of professional trust, affecting the relationship of faculty and students and the relationships among faculty colleagues in this department. These violations have undermined the educational experience of a number of students, have the potential to generate unfounded doubt and mistrust toward the department and its faculty, and could harm the academic reputation of the University.

1. Personnel Matters

a. Julius Nyang'oro. While no evidence was uncovered that indicated Professor Nyang'oro promoted the offering of *aberrant* courses during the period ending with Summer Session II, 2009, he bears responsibility as Department Chair for the grave mistakes made during his watch. As noted above, Professor Nyang'oro resigned his position as Department Chair in August, 2011, and a new Department Chair has now assumed office. Professor Nyang'oro is retiring from the University effective July 1, 2012.

b. Deborah Crowder. As noted above, we were unable to determine definitively the role of Ms. Crowder in the issues identified in this report. The aberrant courses identified here and several other identified irregularities were possible largely as a result of

functions delegated or assigned to Ms. Crowder as department administrator and stopped upon her retirement in September, 2009. Given Ms. Crowder's retirement in 2009, there is no further action the review committee can recommend in her case.

The Department of Public Safety was contacted regarding the irregularities identified by the review, with particular emphasis on the submission to the Office of the Registrar of unauthorized signatures or, in some cases, what appear to be forged signatures. In consultation with the District Attorney and State Bureau of Investigation, it was determined that the activities described in this report, even if assigned to one or more specific individuals and proved true beyond a reasonable doubt, did not give rise to criminal liability.

2. Recommendations with regard to policies and practices.

Following the resignation of Professor Nyang'oro as Department Chair, the faculty of the Department of African and Afro-American Studies, under Professor Huber as Interim Department Chair and currently under Professor Sahle as Department Chair, initiated and has continued a process of evaluating gaps in the department's policies and procedures and of establishing and implementing new ones, in consultation with Senior Associate Dean Jonathan Hartlyn.

In the Fall, 2011, the department completed and began implementing a new set of requirements and procedures regarding independent study courses and has implemented more rigorous procedures regarding the submission of grade rolls and change of grade forms. This spring term, the department has continued a review of departmental policies regarding departmental governance structures and instruction and instructors at all levels, in light of university and college regulations and best academic practices, and in appropriate consultation with administration officials. The policies and procedures that have been addressed or are being addressed in the department's review and revision of its instructional practices include, but are not limited, to:

- a. Grades and grade proxies;
- b. Authority and procedures for submitting change of grade forms;
- c. Grade protests and grade changes;
- d. The use of temporary AB and IN grades;
- e. Independent study courses during the academic year and summer sessions;
- f. Oversight of pedagogical formats appropriate to the size, level, and nature of courses;
- g. Approval processes for providing courses in independent study format; and
- h. Monitoring of department course listings and instructors of record during the academic year and during summer sessions.

The department's review and revision of policies and procedures are also focusing on the following:

- a. Recognizing and developing departmental governance structures that ensure faculty involvement, oversight, and accountability for decision-making;
- b. Prescribing the role and responsibilities of the Department Chair and other faculty who assume leadership roles at the behest of the chair; and

c. Prescribing the roles and responsibilities of all staff in the department.

The review committee recommends that the Department Chair submit a state-of-the-department report to the Senior Associate Dean before the beginning of academic year in the Fall, 2012 that summarizes the results of the department's review and revision of policies and procedures and that informs the College of any difficulties arising from departmental policies and procedures or any other problems with governance, faculty performance or instruction of which the College should be aware.

As with all other units in the College of Arts and Sciences, the department will also implement recommendations put forward by the Dean of the College based on the review of College-wide policies and practices on independent studies and directed readings courses which took place under the direction of Bobbi Owen, Senior Associate Dean for Undergraduate Education, and the Administrative Boards of the College.

Furthermore, we recommend that the relevant findings in this report be shared with the Dean of the Summer School since all courses during summer sessions are administered through the Summer School, rather than the College of Arts and Sciences.

2. Recommendations with regard to student work

The review committee recommends that academic credit and course grades assigned to students enrolled in the courses discussed in this report should not be changed. Given that almost three years have elapsed since the bulk of the irregularities described in the report took place, there is no fair and consistent way to reconsider the permanent grades assigned to these students. University policies do not require that student work be preserved for more than one year.

Conclusion

While presenting this report in as careful and impartial a manner as possible, we cannot conclude without emphasizing the acute dismay that we, as UNC-Chapel Hill faculty, felt as we uncovered the practices summarized here. We regret that we cannot assign with complete confidence the responsibility for the unprofessional and in some cases professionally unethical actions uncovered by our investigation. We are convinced that, in many instances noted in this report, the educational experience of some students as well as their access to faculty instruction and consultation was compromised for a period of several years, which could extend before 2007, the start of the period examined in our report. The evidence we reviewed indicates that between 2007 and 2011 the vast majority of courses offered in the Department of African and Afro-American Studies were not compromised in the ways outlined in this report. Yet the unprofessional or unethical actions noted in this report risk damaging the professional reputations of the faculty in the Department of African and Afro-American Studies as a whole.

We have been heartened, nevertheless, by the determination of colleagues within the Department of African and Afro-American Studies to undertake the reforms necessary to ensure that mistakes of the past will not be tolerated. With new departmental leadership and support

from the department faculty, buttressed by new policies, procedures, and active faculty governance, this department, we believe, will emerge stronger in teaching, research, and service in this vital area of study. As College-wide policies and practices regarding independent study and related courses and issues are regularized following the current review, all College faculty should understand the purposes and expectations of these kinds of courses. In spite of the harm done, we applaud the many positive changes that promise to be the permanent legacy of this investigation.