Online Course Evaluation

Access to Evaluation Data
Context & Recommendations

Background and Context:

The campus is transitioning from a course evaluation system that is highly distributed to an enterprise, online course evaluation system. Currently, campus departments manage the course evaluation process locally under a set of policies and guidelines, as follows:
- UC Systemwide Academic Personnel Manual (APM) 210;
- Berkeley Campus Policy for the Evaluation of Teaching (for Advancement and Promotion) and Recommendations for Administering and Analyzing Student Course Evaluations (1987);
- Memos updating above campus policy (De Vries, 11/19/02; Zedeck, 2/12/09 and 2/25/09);

Over 100 different evaluation forms are used, and the campus requires only two standard campuswide questions, namely:

(1) "Considering both the limitations and possibilities of the subject matter and course, how would you rate the overall teaching effectiveness of this instructor?"
(2) "Considering both the limitations and possibilities of the subject matter and course, how would you rate the overall effectiveness of this course?"

Data is summarized according to guidelines stipulated above and submitted to the Budget Committee, as part of the academic personnel merit, tenure and promotion process. Departments are required to retain raw data for three years, and summary information becomes a permanent part of the teaching dossier.

Current policy and guidelines are silent on the question of who has access to data beyond the individual instructor and the Budget Committee, and departmental practice varies widely. In some departments, course evaluation data is made public either in whole or in part; in others it is not shared publically.

The shift to an online course evaluation format creates opportunities to improve the design of questionnaires and to develop much more sophisticated data analysis and reporting capabilities. It also greatly increases the ease of and opportunity for access to data, and it lengthens the amount of time that data can be stored easily with little or no cost or requirement for space.

Moreover, conversations with peer institutions and with Berkeley students suggests that access to data, together with early access to grades and helping them understand their role in the improvement of teaching, can serve as a powerful incentive to students to complete online course evaluation, thereby helping ensure that we reach a target response rate of 67-70%.

Discussions with faculty reveal that ensuring response rate is a key concern, but that some faculty and leaders in the Academic Senate also have concerns about course evaluation data being made public.

To inform next steps, we undertook two avenues of investigation:

(1) consulted with campus legal counsel to determine applicable state and federal law that would govern disclosure of course evaluation data; and
(2) researched policy and practices concerning sharing of course evaluation data at peer public and private institutions with online course evaluation systems.

State and Federal Law:

Campus legal counsel stated that disclosure of aggregate (e.g. department-wide) results that are not associated with an individual faculty member would generally not raise legal concerns. In terms of disclosure of individual instructor data, counsel identified the following state and federal laws as relevant to the development of an access policy:

- *California Information Practices Act (IPA) of 1977 and California Public Records Act (PRA) of 2004*: The IPA guarantees certain legal rights to privacy by establishing strict limits to access to information about an individual which is maintained by a public entity, such as the University of California. However, under the newer PRA, records maintained by the University generally are public records and are subject to inspection by any person upon request unless specifically exempted under the law from disclosure. The most pertinent PRA disclosure is for records disclosure of which "would constitute and unwarranted invasion of privacy." However, there are strong arguments that disclosure of course evaluation data generated by students in a public university context is not an "unwarranted invasion" and that faculty do not have a reasonable expectation that they will be kept private. According to campus counsel, such arguments include: (1) faculty should have no(or limited) privacy rights concerning information about the quality of service they provide at a public university; (2) there is a strong public interest in students being informed about the quality of faculty teaching; (3) teaching evaluations are merely collections of student opinion, which students are free to share publically; and (4) similar information is widely available through websites such as "Rate My Professor."[1]

- *Family Educational Rights and Privacy Act (FERPA)*. FERPA protects the privacy of student education records. This includes both undergraduate and graduate student

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[1] Information is excerpted from a confidential legal briefing provided by Counsel Patti.

records. As relates to course evaluations, only graduate students and faculty and staff with a legitimate educational interest in the teaching performance of graduate students may access evaluation data.

In short, access to Graduate Student Instructor (GSI) course evaluation is protected under FERPA, but the right to privacy for other instructors is not clearly established. Legal counsel advised that the campus could attempt draw a "bright line" between quantitative and qualitative data or between data that is about the course versus data about the instructor; however, these distinctions have not been tested in court and might not hold up.

Peer Institutions:

We identified six peer institutions who have successfully instituted online course evaluation systems. These include five private universities (Harvard, Yale, Princeton, Stanford and MIT) and one public university (Michigan). We also identified three sister UC institutions with experience with online course evaluation. Only one of these (UC Riverside) has instituted a campuswide system; the other two (UCSD and UC Irvine) are opt-in systems (see attached spreadsheet, page 7).

Policies and practices concerning access to course evaluation data vary across these institutions. The maturity of the online program and the campus's tradition in sharing evaluation results appear to shape the campus policy. For example, Harvard has a long history of providing student quantitative ratings and qualitative comments to fellow students prior to instituting online course evaluation and gives access to all data of both types to the campus community at large. MIT, Stanford, Princeton and Michigan share quantitative ratings, but do not share open-ended comments (with a single exception for Princeton as noted below).

Several institutions have instituted specific student-to-student questions. Yale and Stanford include quantitative student-to-student question(s), the results of which are shared. Princeton includes a single qualitative question, which is shared. Harvard includes both quantitative and qualitative student-to-student questions. Reports from our peers also indicate that those who do include and share student-to-student questions see improved response rates on the evaluation process.

External Websites:

Campuses we consulted also noted that the trend is moving toward openness. Stanford, Michigan, and Riverside reported that students seek more detailed and qualitative information about courses they are considering; if they cannot find it in a secure, campus system, they turn to less reliable, external systems. We find similar trends on the Berkeley campus. Students in a recent focus group indicated that they regularly access external websites including Ninja Courses, Courserank and Rate My Professor for data during Telebears enrollment, suggesting that student-to-student data linked directly with

the online schedule of classes might meet a need that students are currently satisfying with less reliable sources.

Based on our investigations, we propose the following:

I. Recommended policy on access to course evaluation data relating to Instructors and Faculty

Overall, we recommend that the campus move toward a more open policy of sharing access to end of term course evaluation data. Such data is already being shared in external sites, which are widely accessed by students. We would argue that it is in the campus's best interest to inform the campus community of the quality of instruction, and we can better ensure the integrity of the data through a standardized and authenticated process administered by the campus. Mid-term course evaluation data is not intended to be shared beyond the individual instructor.

Quantitative questions:
The University will make summaries of quantitative results from standard campuswide questions on course evaluations accessible to
- All Instructors;
- University administrators and faculty engaged in academic personnel reviews;
- Department staff;
- System administrators, and
- Students

Qualitative questions:
The University will make qualitative, narrative results derived from open-ended questions available to:
- Individual Instructor for the Course
- University administrators and faculty engaged in academic personnel reviews, and
- Department staff responsible for processing results or their summaries.

Custom questions:
The University will make results derived from custom questions included by the instructor, department, college or other subset of instructors (e.g. R&C or AC instructors) available to:
- Individual Instructor(s)
- University administrators and faculty engaged in academic personnel reviews, and
- Department staff responsible for processing results or their summaries.

Student to student questions:
The University will also make results of student-to-student question(s) available to students in a format that will assist them with course planning and selection (e.g. linked to the online schedule of classes).

Preliminary discussions with Berkeley students suggest that both quantitative and qualitative student to student questions are desirable. The exact questions could be determined with additional input from students. The results of these questions could be combined with other quantitative data drawn from central systems that are of interest to students and that provide important context for results, such as grade distribution, % of majors in course, etc.

Should the campus decide to include a qualitative student-to-student question, particular attention must be paid to how to elicit constructive comments and how to manage civility in the online environment.

II. Recommended policy on access to course evaluation data concerning Graduate Student Instructors (GSIs)

The University will adhere to FERPA in developing a policy around access to course evaluations when a graduate student instructor (GSI) is in question. Access will be granted to individuals with a legitimate educational interest in the teaching performance of graduate students. Specific guidelines, developed in consultation with the Graduate Division and the University Registrar, are outlined below:

Results of GSI evaluations, both quantitative and qualitative (i.e., narrative) should automatically be made available to:
- GSI
- Instructor of Record for the course under evaluation (who, in almost all cases, is the supervisor designated in appointment letter)
- Supervisor, if not the same as the Instructor of Record. For example, in the case where a GSI is appointed as an Acting Instructor and is therefore the Instructor of Record, he or she would still have a faculty supervisor, often the department Chair.
- Point person in department (e.g. the Graduate Student Services Advisor)
- Department Chair

Point person in department may make evaluation information available to:
- Head Graduate Advisor
- Faculty Advisor for GSI Affairs

Others who may request access to GSI evaluations from departmental point person and who may have a legitimate educational interest in doing so include:
- Faculty selecting a GSI to teach in a course, including GSIs from other departments (i.e., future faculty supervisor)
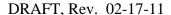- With the GSI's consent, a faculty member who is writing a letter of recommendation for the GSI

- Faculty who are determining recipients of Outstanding GSI Award or other awards (Note: GSIs should be informed in first term of teaching that evaluations may be used for this purpose.)
- Dissertation advisor
- Designated faculty member, tasked by department chair to review end-of-semester evaluations to comply with Graduate Council requirements
- Other faculty who may have a legitimate educational need for access

III. Reports

Pursuant to the above policy, the University would implement a set of standard reports to be determined by the selected system's capabilities and the needs of the campus community.

In the long-term, the system could also be linked to the data warehouse, which would provide tremendous potential to assist with institutional planning efforts around quality of instruction.

Policies regarding data access and archiving in the data warehouse will be determined.

Access to Course Evaluation Data at Peer & Sister Institutions

	Share results of quantitative questions with university community	Share results of qualitative questions with university community	Include standard questions on instructional format or discipline area	Allow custom questions	Include and give access to student-to-student question(s)*	Average response rate	Start Date for Online System
Peer Institutions:							
Harvard	Yes	Yes	Yes	Yes	Yes	94%	2005
Yale			Yes	Yes	Yes	90%	2003
MIT	Yes		Yes	Yes		90%	2007
Stanford	Yes				Yes	99%	2006
Princeton	Yes		Yes		Yes	90%	2007
U Michigan	Yes		Yes	Yes		65%	2009
Sister Institutions:							
UC Riverside			Yes	Yes		75%	2009
UC San Diego			Yes	Yes		44.6% **	N/A
UC Irvine			Yes	Yes		varies ***	N/A

* Questions can be qualitative or quantitative, depending on institution

** UCSD's student run CAPE office coordinates undergraduate course surveying and implemented academic-year online surveying Wtr 2010. (the response rate reported represents two academic-year quarters).

*** For UC Irvine: Standard questions can be included or excluded at school/department discretion. Online evaluations at UCI were voluntarily implemented at school/department discretion. Some areas still use paper evaluations. Rates vary considerably across different programs.