

## **Transparency in Doctoral Policy Governance (Part I): Inappropriateness and Legal Implications of Secret Policy Changes**

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### **Abstract**

Secret changes to doctoral policies—whether embedded in handbooks, catalogs, or program webpages—undermine academic integrity, impair informed consent, and expose institutions to avoidable legal risk. This article examines the inappropriateness and legal implications of undisclosed or retroactive alterations to degree requirements, evaluation standards, and appeal pathways. Drawing on contract-like obligations created by institutional catalogs and policy notices, as well as accreditation expectations for transparency and fair process, the analysis clarifies when policy shifts may frustrate reasonable reliance interests of doctoral candidates. The article distinguishes governance and oversight functions (e.g., academic review boards) from human-subjects protections to avoid misattributing Institutional Review Board authority to non-research policy changes. Building on these foundations, the article proposes a pragmatic Transparency Protocol for policy governance in doctoral programs: minimum advance-notice periods, version-controlled change logs, side-by-side redlines for material amendments, transition or "teach-out" rules for students mid-program, and clearly delineated appeal and waiver mechanisms. The contribution is twofold: first, a synthesis that connects legal, accreditation, and ethical rationales for notice and stability in doctoral policies; second, an actionable framework institutions can adopt to preserve trust, reduce disputes, and support equitable completion pathways for advanced scholars. The protocol is intended as a baseline standard adaptable across diverse doctoral contexts.

**Keywords:** doctoral policies; secret changes; transparency; academic integrity; student rights; due process

### **1. Introduction**

Doctoral programs sometimes make secret policy changes—to degree requirements, evaluation standards, or appeal routes—without timely notice to those affected. Such changes undermine informed reliance, strain academic integrity, and invite avoidable disputes. This article makes two contributions. First, it clarifies the ethical and legal stakes of undisclosed or retroactive policy shifts, distinguishing governance bodies (e.g., ARB) from human-subjects protections

(IRB). Second, it offers a pragmatic Transparency Protocol—advance notice, version-controlled change logs, side-by-side redlines, teach-out rules, and precise appeal/waiver mechanisms—that institutions can adopt to preserve trust and reduce risk.

In recent decades, doctoral education has expanded considerably across universities worldwide, accompanied by increasingly complex governance structures that regulate doctoral progression, evaluation standards, and degree requirements. Institutional handbooks, catalogs, and program guidelines function as authoritative documents that shape doctoral candidates' expectations and academic trajectories. Consequently, undisclosed or retroactive changes to these policies raise important governance questions regarding transparency, procedural fairness, and institutional accountability. Scholars examining doctoral education have emphasized that program structures and administrative decisions play a critical role in shaping doctoral success and completion pathways (Gardner, 2009; Golde, 2005; Lovitts, 2001). When policy modifications occur without clear communication or advance notice, doctoral candidates may face uncertainty regarding their academic progress, potentially undermining trust in institutional governance. Against this backdrop, the issue of secret or inadequately communicated policy changes warrants closer examination from both ethical and legal perspectives.

This article forms part of a two-part research series examining transparency in doctoral policy governance. Part I establishes the ethical, legal, and governance implications of undisclosed policy changes and introduces a structured Transparency Protocol. Part II extends this foundation by operationalizing transparency through measurable indicators, compliance metrics, and institutional evaluation models. Together, the series advances a comprehensive framework for understanding, implementing, and assessing transparency in the governance of doctoral education. Furthermore, the study adopts a conceptual, governance-focused analytical approach, drawing on the higher education policy literature, legal scholarship, and institutional governance frameworks to examine transparency in the implementation of doctoral policies.

### **Ethical and Stakeholder Impacts**

Undisclosed policy changes erode institutional trust, create procedural uncertainty, and contribute to the hidden curriculum often experienced within doctoral education. Clear, prospective expectations are an ethical prerequisite for accountability and fair evaluation across doctoral communities.

Moreover, secretly changing doctoral policies considerably weakens trust among doctoral candidates, employees, and the academic institution. Trust is a foundational element of academic institutions, enabling collaboration, engagement, and confidence in institutional integrity. When individuals trust the institution's integrity, this allows freedom of expression and fosters collaboration toward the common goal of academic achievement. The breach of trust discussed by Cohen and Baruch stems from the hidden characteristics of an institution, and a lack of transparency can lead doctoral students to feel abused and lose faith in the academic institution (Cohen & Baruch, 2022). Secretive policy changes also align with the hidden curriculum

identified by Elliott and Bengtson, which introduces difficulties in doctoral education by "embedding unstated assumptions about rules, practices" that have ethical implications. This approach obscures information, creates confusion, and leaves students feeling alienated (Elliott et al., 2020). Hence, under this moral decline resulting from the breach of trust, the academic institution cannot efficiently pave the way for doctoral students, leading to a decline in the overall credibility of the higher education institute.

Furthermore, secret policy amendments can compromise institutions' academic integrity by undermining the core ethical principles that underpin such integrity. The absence of transparency invites incorrect decision-making by institutional administration while promoting a lack of engagement and involvement (Virelli III & Podgor, 2019). Without transparency, institutions may lose the trust of their stakeholders, including faculty and doctoral candidates, who are likely to feel confused and unsettled by disclosures about their academic development and career progress. Academic integrity is crucial to trust in institutional governance, as its erosion compromises stakeholders' ability to collaborate and innovate on academic issues (Gearon & Parsons, 2019).

### **Importance of Formal Notification**

To support the integrity of policies, the formal notification to employees and doctoral candidates regarding changes is fundamental. Timely notification is essential to uphold the transparency of policy changes, which is necessary to gain and preserve trust in academic institutions. Formal notifications regarding policy alterations serve as the institution's notice of its values and help avoid misunderstandings that may arise from unannounced changes (McAlpine et al., 2020). Additionally, faculty members and doctoral candidates must promptly adapt to the new requirements to ensure compliance and preparedness (Elliott et al., 2020). Thus, transparency in policy changes is essential for supporting institutional integrity and accountability, thereby enhancing trust and compliance in academic institutions and boosting the morale and performance of academia.

Compliance is further supported by the timely dissemination of information about policy changes, which benefits both the institution and junior researchers and doctoral candidates by reducing uncertainty and ensuring adherence. For instance, if the institution immediately informs candidates of any policy modifications regarding program evaluation, it allows candidates to be informed promptly. It enables them to adjust their academic plans as needed. This clear information would result in fewer misunderstandings and eliminate surprises of issues that could hinder academic progress (Elliott et al., 2020). Additionally, with accurate information, candidates would comply with expectations and follow the new procedures set by the institution, align with its policies, and ultimately benefit their academic progress and success. Indeed, the act of immediately informing the concerned parties of the changes made regarding policies and guidelines further advocates compliance by strengthening the environment of trust and cooperation, not just for institutions to junior researchers or doctoral candidates but also for the

latter to the former in light of the issues regarding secretive administrative practices (Virelli III & Podgor, 2019).

Similarly, the practice of formally notifying staff about policy amendments enables the faculty to adjust their practices in accordance with the revised policies, thereby contributing to academic coherence within the institution. Transparency and clarity in communication will enable faculty to identify necessary changes and make prompt, effective adjustments to administrative and teaching approaches. This step would eliminate the scope for misalignment and disruption that may arise from such amendments, enabling the smooth integration of the new policies (McAlpine et al., 2020). In addition, well-informed staff members assist doctoral candidates by adopting a similar helping approach, fostering growth in an environment of mutual understanding and reliance on one another, driven by common goals and objectives set by the institution (Cohen & Baruch, 2022). The mentioned practice thus ensures improved accountability and quality within the institution and its academic programs, due to the better integration of new policies into academic practices and, therefore, routine matters.

### **Legal Ramifications of Secretive Modifications**

**Legal disclaimer.** This article provides general information for academic policy governance and does not constitute legal advice.

Secretive policy changes may give rise to legal challenges grounded in procedural fairness, reasonable reliance, and institutional compliance obligations. Courts have historically required higher education institutions to adhere to their published policies and procedures, particularly where such documents create enforceable expectations (Kaplin et al., 2019). Undisclosed or retroactive modifications risk undermining these expectations, potentially exposing institutions to litigation, reputational harm, and regulatory scrutiny. These risks underscore the importance of transparent, prospective policy implementation within doctoral governance frameworks.

### **Role of ARB and IRB in Doctoral Policies**

The ARB ensures academic quality and degree-progress standards (program requirements, reviews, remediation, and completion timelines). The IRB protects human subjects in research; it does not govern non-research policy changes (handbooks, catalogs, administrative procedures). Additionally, the IRB approval process establishes a formal compliance framework governing research involving human participants. Once approved, the research protocol becomes a binding institutional requirement that defines how the doctoral candidate must conduct the study and how the institution must oversee ethical compliance. In practice, this framework functions as a quasi-contractual commitment between the doctoral researcher and the institution, as both parties are obligated to adhere to the approved protocol unless formal amendments are reviewed and authorized through established IRB procedures.

As a result, the structured compliance framework, which conflates IRB authority with broader academic policy governance, can create confusion about institutional responsibilities. The IRB's role is limited to the ethical oversight of human-subjects research. In contrast, administrative policies governing doctoral progression—such as handbook requirements, program evaluations, or procedural rules—fall within the jurisdiction of academic governance bodies such as Academic Review Boards, registrars, and institutional compliance offices.

**Jurisdiction limiter.** IRBs review research involving human participants; conflating IRB authority with general policy governance obscures due-process pathways and misdirects appeals. ARB/Registrar/Legal should oversee policy transparency; the IRB is out of scope unless the research is implicated.

Uncommunicated policy changes may indirectly affect institutional coordination and compliance interpretation across governance bodies. While Academic Review Boards (ARBs) are responsible for academic standards and doctoral progression, Institutional Review Boards (IRBs) maintain a distinct role limited to human-subjects research oversight. When policy changes are not clearly communicated, confusion may arise regarding jurisdictional responsibilities, potentially leading to delays or inconsistencies in institutional decision-making. However, such effects reflect coordination challenges rather than a direct expansion of IRB authority into academic policy governance.

In addition, the expected transparency and reliability regarding ARBs and IRBs are lacking, as doctoral candidates and faculty members lack clarity on compliance requirements and ethical considerations (Cohen & Baruch, 2022). As a result, a gap arises in the information provided to ARBs and IRBs regarding the updated monitoring and compliance requirements and their implications. Hence, ARBs and IRBs become inefficient in fulfilling the primary functions of academic governance, particularly in addressing uncommunicated policy changes.

### **Institutional Governance Boundaries in Doctoral Education**

Doctoral education operates within a layered governance structure in which distinct institutional bodies maintain responsibility for different aspects of academic oversight. Clarifying these governance boundaries is essential to prevent procedural confusion and to preserve institutional accountability. In most universities, Academic Review Boards (ARBs), graduate schools, registrars, and institutional compliance offices oversee doctoral program requirements, academic progression, and administrative policies governing degree completion. These entities establish and maintain program standards through institutional documents such as doctoral handbooks, catalogs, and procedural guidelines.

Institutional Review Boards (IRBs), by contrast, serve a distinct and specialized function focused on the ethical oversight of research involving human participants. The IRB approval process establishes a formal compliance framework that governs how approved research protocols must be conducted and monitored. Once a research protocol receives IRB approval, the approved

procedures become binding institutional requirements for both the doctoral researcher and the institution, with modifications permitted only through formal amendment and review processes. In this sense, IRB approval establishes a structured compliance relationship that functions as a quasi-contractual commitment regarding the conduct of research.

Maintaining clear governance boundaries between academic policy administration and research ethics oversight is therefore critical. When institutions conflate IRB authority with broader doctoral policy governance, confusion can arise regarding procedural responsibilities, appeal mechanisms, and institutional obligations. By clearly distinguishing these governance roles, institutions can ensure that doctoral policy changes are managed transparently through appropriate academic channels while preserving the IRB's essential role in protecting human research participants.

### **Impact on Doctoral Candidates and Staff**

The impact of policy changes that are not communicated effectively can cause significant disruptions for both research candidates and staff, ultimately leading to uncertainty and challenges that undermine their educational and professional growth. When upper-level policy shifts occur without adequate notification or explanation, research candidates may find themselves abruptly disconnected from their intended research trajectories. This can lead to significant misalignment between the academic expectations set by their institutions and the specific requirements of their research programs (Cohen & Baruch, 2022). As a consequence, candidates might face difficulties in meeting critical academic milestones or completing their research objectives.

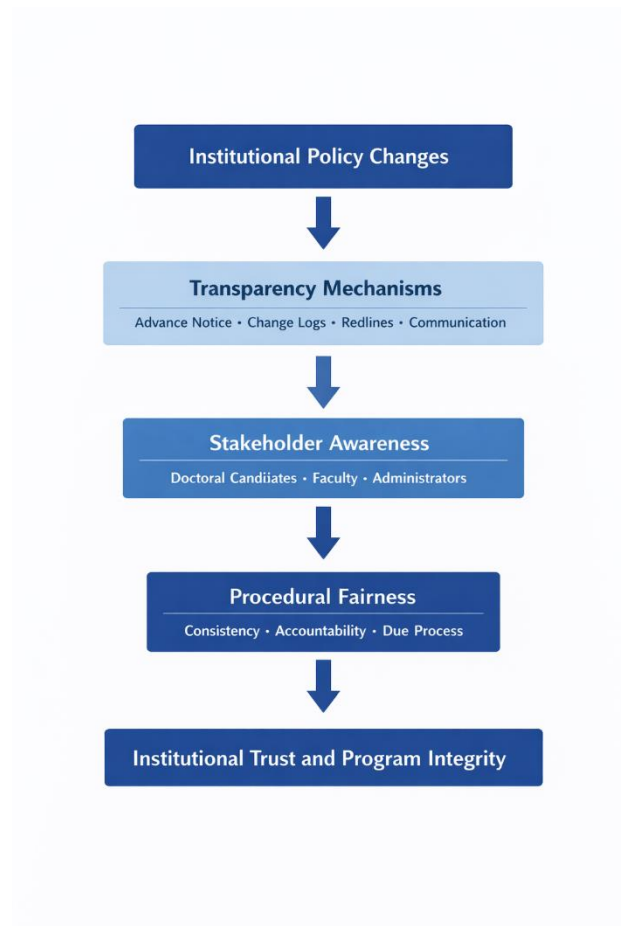
Additionally, staff members who remain unaware of these policy changes often become disoriented, hindering their ability to provide coherent guidance and support to students and colleagues. This lack of clarity can severely compromise their effectiveness in executing core responsibilities, such as mentoring, advising, and providing necessary accommodations or resources (Kezar & Bernstein-Sierra, 2024). In environments characterized by such uncertainty, the risk of becoming a theoretically dysfunctional setting increases. This dysfunction manifests as operational inefficiency, wherein institutional actions deviate from strategic goals and mandates. Consequently, the failure to communicate policy changes adequately can impede an institution's ability to achieve its broader educational and professional objectives.

### **Transparency Protocol for Doctoral Policy Governance**

The relationship between institutional policy changes, transparency mechanisms, and stakeholder trust can be conceptualized as a governance process within doctoral education. Figure 1 illustrates how transparent communication practices shape awareness, procedural fairness, and institutional integrity.

**Figure 1**

*Conceptual model of doctoral policy transparency and governance*



*Note.* The model illustrates how transparent policy communication mechanisms influence stakeholder awareness, procedural fairness, and institutional trust within governance systems for doctoral education.

As illustrated in Figure 1, transparency mechanisms function as a critical intermediary between policy changes and the maintenance of institutional trust. Without such mechanisms, undisclosed policy modifications risk undermining procedural fairness and the stability of doctoral programs. These transparency mechanisms are operationalized through the structured protocol outlined below, which translates conceptual governance principles into actionable institutional practices.

Taken together, this model demonstrates that institutional trust is not a byproduct of policy design alone, but a function of how transparently policy changes are communicated, validated, and governed across doctoral program structures. The effectiveness of doctoral policy

governance, therefore, depends on the alignment between institutional authority, communication practices, and stakeholder expectations.

**Scope:** Applies to doctoral handbooks, catalogs, program webpages, and any document that creates enforceable expectations. To address these governance challenges, a structured transparency protocol can provide institutions with practical mechanisms for ensuring policy accountability while protecting doctoral candidates' reliance interests.

- 1) Advance-Notice Window. Provide 60–90 days' public notice for material changes (degree requirements, evaluation criteria, appeal pathways). Date-stamp the proposed and effective dates.
- 2) Version-Controlled Change Log. Maintain a permanent public changelog with prior versions available for at least five years.
- 3) Side-by-Side Redlines. Publish marked comparisons for all material amendments so stakeholders can see insertions/deletions.
- 4) Teach-Out/Grandfathering. Default students to policies in effect at matriculation; allow opt-in to newer policies without penalty.
- 5) Appeals and Waivers. Name the office, forms, deadlines, evidence standards, and escalation path; publish these on the same page as the policy.
- 6) Communication Channels. Email all affected students/faculty and post to the catalog/LMS; retain delivery logs.
- 7) Compliance Metrics. Quarterly audit of notice intervals, number of waivers granted, and median time-to-resolution for appeals.
- 8) Governance Roles. ARB oversees academic standards and degree progress; the Registrar preserves catalog integrity; Legal/Compliance reviews for risk; and the IRB is excluded unless human-subjects research is implicated.

Collectively, these mechanisms operationalize transparency as a governance function rather than a discretionary communication practice, reinforcing institutional accountability and supporting equitable doctoral progression.

### **Policy Implications for Universities**

Universities increasingly operate within complex governance environments where doctoral policies must evolve to reflect accreditation expectations, institutional priorities, and emerging academic standards. However, the manner in which policy changes are implemented can significantly influence doctoral candidates' trust in institutional governance and their ability to complete their programs successfully.

The transparency protocol proposed in this article offers practical mechanisms to strengthen policy accountability in doctoral education. Institutions can reduce procedural disputes and reinforce academic integrity by adopting structured governance practices, including advance-notice periods for policy changes, publicly accessible, version-controlled policy archives, side-

by-side redline documentation for major revisions, and clearly defined appeal and waiver pathways.

By institutionalizing transparent policy governance, universities can protect doctoral candidates' reliance interests while maintaining the flexibility needed to adapt program requirements over time. Such practices not only promote fairness and procedural clarity but also strengthen institutional credibility and safeguard the integrity of doctoral programs.

### **Limitations and Future Research**

Although this article provides a conceptual and governance-focused examination of undisclosed policy changes in doctoral programs, several limitations should be acknowledged. First, the analysis is primarily normative and policy-oriented rather than empirical. While the discussion draws on existing scholarship in doctoral education, academic governance, and higher-education law, future research could benefit from systematic empirical studies examining the frequency of undisclosed policy changes in doctoral programs and their effects on doctoral candidates' progression and completion outcomes.

Second, institutional governance structures vary widely across universities and national higher-education systems. As a result, the transparency protocol proposed in this article is intended as a baseline governance framework rather than a universal prescription. Institutions may adapt the framework according to their administrative structures, accreditation requirements, and legal contexts.

Future research may explore several related questions, including how transparency practices influence doctoral student retention, perceptions of institutional trust, and program completion timelines. Comparative studies across institutions or national higher-education systems may also provide insights into how governance structures shape policy transparency in doctoral education. Such investigations could further refine transparency mechanisms that support equitable and accountable doctoral program governance.

### **Conclusion**

The exploration of undisclosed modifications in doctoral policies reveals significant inadequacies and potential legal issues associated with these practices. The clandestine nature of such changes poses a significant threat to the core principles of accountability and fairness, which academic institutions are fundamentally committed to upholding. When changes are made in secrecy, the essential transparency and openness expected from educational institutions are compromised.

Effective communication, coupled with official notifications about any alterations in academic policies, is crucial. Without these, institutions face the risk of losing credibility and the integrity that underpins academic governance. Clear guidelines and widespread information sharing are

necessary to demonstrate a commitment to ethical governance and to ensure that all stakeholders, including students, faculty, and administrative bodies, are adequately informed and prepared to respond to policy updates. Moreover, opting to make policy changes without transparency may lead to severe legal implications for institutions. The absence of procedural justice and due diligence could expose them to lawsuits or challenges from disgruntled parties. Additionally, these secretive practices can jeopardize an institution's accreditation status, as accreditation bodies typically demand rigorous adherence to fairness and transparency in policymaking.

Therefore, embracing a culture of openness and being transparent about policy changes is not merely an ethical obligation but also a strategic necessity. By doing so, academic institutions can ensure they implement policies in a just and ethical manner while maintaining trust and a positive reputation within the academic community. This commitment to transparency fosters a supportive environment in which academic integrity is preserved, and the institution's standing in the academic field is reinforced.

Beyond the immediate ethical and legal concerns discussed in this article, the issue of undisclosed policy modifications highlights broader governance challenges within doctoral education. Universities operate in increasingly complex administrative environments where policy adjustments are sometimes necessary to respond to evolving academic standards, accreditation expectations, or institutional priorities. However, the manner in which such changes are communicated is equally important as the changes themselves. Transparent governance practices—such as advance notice, clear documentation of revisions, and well-defined appeal pathways—help ensure that doctoral candidates can navigate their academic programs with confidence and clarity. Future research may further examine how institutional transparency practices influence doctoral student retention, completion rates, and perceptions of academic integrity. By adopting transparent governance practices and clearly communicating policy changes, institutions can strengthen procedural fairness, reduce administrative disputes, and support equitable pathways to doctoral completion.

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