

# SPECIAL SENATE MEETING

## THURSDAY DECEMBER 10, 1970

### 3:30 P.M.

## MAYO AUDITORIUM

The voting membership of the University Senate totals 188 including the President, 126 members of the faculty and 61 students. For a quorum, a majority of the voting membership (95) must be present. Amendments to the Constitution require advance publication and 126 affirmative votes. Amendments to the Bylaws require advance publication and 95 affirmative votes. Other actions require only a simple majority of the members present and voting. The members of the all-University Administrative Committee are ex officio nonvoting members of the University Senate.

Any member of the faculty and any student eligible to vote for Senators may be admitted to meetings of the University Senate and shall be entitled to speak at the discretion of the University Senate. Only elected members of the University Senate, the members of the Senate Consultative Committee, and, in the case of a tie, the chairman shall be entitled to vote.

Any representative may designate any elected alternate from his institute, college, school, or student constituency as the alternate to serve in his place and stand by written notice to the clerk of the Senate prior to the commencement of any meeting of the University Senate.

Provision has been made for the University News Service to send the docket to the news media in advance of each meeting and to arrange a news conference at the close of each meeting with the vice chairman and others he may designate. The meetings are open to the press.

#### ATTENDANCE RECORD

A roll of elected and ex officio members will be circulated during the meeting. Members will please check their names to indicate their presence. If the list misses you, please stop after the meeting to check your name. The roll, after adjournment, will be at the rostrum.

An attendance record for nonmembers will also be circulated and will be on the rostrum after the meeting.

A summary of the attendance of members for the current academic year will be included in the June minutes.

Year 1970-71

No. 1

#### UNIVERSITY OF MINNESOTA THE SENATE DOCKET DECEMBER 10, 1970

Your Committee on Business and Rules respectfully presents the following matters for consideration.

#### I. REPORT OF THE UNIVERSITY SENATE CONSULTATIVE COMMITTEE REPORTED FOR ACTION

Following the discussion in the Senate meeting of December 3, the following report is presented for action. Two additional open hearings (in addition to the seven already held) were announced in the Senate meeting: Tuesday, December 8, 1 to 3 p.m., 5th floor, CMU; Wednesday, December 9, 3 to 4:30 p.m., Junior Ballroom, CMU.

#### REPORT OF THE UNIVERSITY COMMITTEE ON ACADEMIC RESPONSIBILITY:

##### A PROPOSED UNIVERSITY SENATE STATEMENT ON ACADEMIC FREEDOM AND RESPONSIBILITY

Academic freedom and academic responsibility are desirable in themselves and they also serve a public need. That need is for an institution whose duty is to explore the sources of knowledge and to distribute the results of careful scholarship. To help the university to fulfill this duty, the scholar should strive to be rigorous in his work and to be receptive to new evidence, new argument and new ideas. Academic freedom consists in the unfettered exercise of scholarship. The faculty and students are obligated to help protect academic freedom and to help provide the conditions in which academic responsibility can prevail.

Academic responsibility involves the entire learning community—the administration in the service of faculty and students, and the scholarly enterprise; the faculty member in the pursuit of learning and in the service of his students and society; the student in his quest for understanding and self-development. Therefore, the distinctions in this document among administrators, faculty, and students are made here for purposes of exposition only. All three are necessarily joined in the academic community.

In a statement issued in 1963, the Regents of the University of Minnesota set forth with admirable clarity and directness the principles of academic freedom and responsibility for this university. This statement reaffirms and complements their document.

Academic freedom can be divided into two parts: freedom of inquiry and freedom of dissemination. Freedom of inquiry means that a scholar is not restricted in either the nature or the range of his study, questioning, or investigation, but may search where the logic of his research leads him. Freedom of dissemination means that the scholar has the freedom to discuss his ideas and make them public.

Since the function of the teacher includes the dissemination of the results of his scholarship to students, colleagues, and the public, and since this constitutes a public good, then it is a corruption of that public good to dictate what may be taught and discussed within the university. Likewise, it is a corruption of the learning process to dictate what a student may discuss either publicly or privately. To foster an exchange and debate of ideas promotes the eventual clarification of findings and the attainment of more valid knowledge. The university has committed itself to the preservation of such an atmosphere. Its members believe that debate should be open so that the diversity of opinion within the university may be visible and understandable to the larger community.

Academic responsibility obliges the scholar to strive for a level of excellence and integrity worthy of his vocation and to dedicate himself to the pursuit of knowledge and the cultivation of an atmosphere which stimulates learning. Especially when dealing with controversial matters, he should be certain that the views of others are fairly and justly described. He should inform his audience of divergent opinions about the subject at hand. Fostering strenuous and careful thinking, rather than providing ready-made conclusions, is a duty of the scholar as educator. Intelligent disagreement is especially important since to develop and to maintain reflectiveness requires the constant re-evaluation of one's views.

The teacher is responsible for his course of instruction, which responsibility includes a statement of course objectives and the means of fulfilling them. A teacher's mastery of his subject and his own scholarship qualify him to teach. Thus, it is improper for a teacher persistently and knowingly to intrude material which has no relation to his subject, or to fail to present the subject matter of his course. Each individual faculty member must have reasonable latitude to cancel a scheduled class or other scheduled activity for reasons including more effective means of presenting material, illness, engagement in some other professional activity, or even the desire to express individual conscience or conviction. But then the teacher has an obligation to arrange for the instruction lost in a manner most convenient for all of his students. A vital part of his profession is, of course, his reasonable and ready accessibility to students, since consultation with faculty is not a student's privilege but every student's right.

The scholar should make every effort to inform his listeners or readers that the opinions he expresses are his own, not those of his university. Off the campus, members of the university community enjoy the same rights

as their fellow citizens to organize and join political associations, and to express opinions. The University must affirm, assure and protect these rights for its members on the campus. But as an institution, the University should avoid taking political positions on non-academic activities though it does not discourage such activities on the part of its individual members.

#### Interpretation and Adjudication

Questions of academic freedom and responsibility concern all members of the academic community—faculty, students, administrators. In any interpretation or adjudication of these questions, however, the role of the faculty should be primary. No uniform code of specific norms or grievances should be stipulated to apply to all circumstances, faculty and students. As departments, colleges and other academic units develop sets of procedures and a history of experience in dealing with complaints, equitable norms will evolve. In developing these standards, sanctions should not be applied in cases in which no precedent exists.

To insure due process in such matters, while better protecting academic freedom, the University Committee on Academic Responsibility recommends that the following procedures become policy for the University of Minnesota.

#### Departmental\* Grievance Procedure

Students and faculty should make reasonable efforts to use informal procedures before submitting formal complaints. For complaints which have not been resolved informally, each department or academic unit will choose from its members a committee of faculty and students to hear cases involving faculty or student freedom and responsibility. Once the committee in each department has determined its own procedures and norms, then it will make them public. If a faculty member, student, or a group of faculty or students wishes to submit a written complaint to this committee, they may do so and be assured of a hearing. Each departmental committee will strive to protect faculty and students from unfounded charges as well as to act on cases of genuine grievance. Recommendations of the committee will be forwarded to the department chairman or appropriate administrative officer. The faculty of the department, or the group designated by the entire faculty for this purpose, shall then consider and decide on such recommendations and will send an information copy of its decision to the appropriate Dean, Director, or Provost.

\*or appropriate academic unit to be decided by each collegiate unit

#### Collegiate Appeals Procedure

If a recommendation submitted by the departmental committee after due process and consideration is unacceptable to the parties involved, an appeal can be submitted to the appropriate Dean, Director, or Provost. Upon such a request, a standing Appeals Committee, comprised of faculty and students appointed by the Dean, Director or Provost according to the procedures of the college, will hear the case. Recommendations of this committee will be forwarded to the Dean, Director, or Provost.

#### University Appeals Procedure

If any party involved should, after the Collegiate Appeals Committee has made a recommendation to the Dean, Director, or Provost on the case, still be dissatisfied, he may file an appeal with the President's Office. The University Senate, should form a new committee, the Senate (or University) Appeals Committee, to be formed as other regular Senate committees are formed. Appeals made to the President's Office will be referred to this duly constituted body. This final appeals committee will be comprised of seven faculty members and four students. Recommendations of this committee will be forwarded to the president.

#### Jurisdiction

All complaints arising out of a course or other official activity will be submitted to the Academic Grievance Committee of the Department or program offering the course or activity; appeals from the decision of this department or program will be submitted to the Appeals Committee of the college-level unit for which or in which the course or activity is conducted. Academic grievances not arising out of courses or other official university activities should be directed to the department-level unit and appealed through the college-level unit to which the accused primarily belongs. The Senate Appeals Committee shall determine routing in all cases not covered here.

#### Judicial Committee Procedures

The work of none of these committees will in any way replace or interfere with the traditional constitutional function of the Senate Judicial Committee. The matters which reach these new committees generally will concern charges necessarily less serious than those which might lead to "dismissal for cause." These committees have no power to terminate appointment at any rank but exist to make recommendations in cases of complaint.

Toni McNaron, Chairman	Bruce Miller
Rutherford Aris	Rick Mitz
David Cooperman	Robert Mjoen
George Donohue	Jane Nielsen
Ken Doyle	Eli Rosenfield
Donald Harriss	James Stein
Stuart Hoyt	David Stoppel
Warren Ibele	Richard Teske
Raymond Lammers	Frank Wilderson

#### II. RESOLUTION TO ESTABLISH A COMMITTEE TO INVESTIGATE MILITARY SURVEILLANCE OF STUDENTS AND FACULTY REPORTED FOR ACTION

Growing out of motions made by Professor David Cooperman and Professor Carl Auerback at the December 3 Senate meeting, the two join in presenting the following proposal for consideration of the Senate.

The recent reports of surveillance by U.S. military intelligence personnel of student and faculty members of the University of Minnesota seriously concern the University Senate. If the military-police activities reported on the N.B.C. television program "First Tuesday" on December 1, occurred and if the information gathered remains available to military and police agencies to be used at their discretion, the academic freedom of this community stands threatened, and will remain so unless the consequences of such military activities are dealt with.

In the light of repeated affirmations by the Board of Regents of the University of Minnesota in defense of academic freedom, the Senate hereby recommends that the Board of Regents establish at the earliest possible time a joint Senate, Administration, Regents task force for the following purposes:

1. To examine the nature of the activities reported and the extent of surveillance of all kinds on the campuses of the University of Minnesota in the recent past, including surveillance, if any, by units of the University, without the permission of members of the academic community who were the objects of such surveillance.

2. To determine, if at all possible, the current location and status of such information gathered—where, under whose authority, and to what use such information may be put.

3. To report its findings to the Senate.

4. To recommend policies and procedures to prevent such activities from being carried out in the future.