

Minutes*

Faculty Consultative Committee
Thursday, June 17, 2004
1:15 – 3:00
300 Morrill Hall

Present: Judith Martin (chair), Gary Balas, Jean Bauer, Charles Campbell, Carol Chomsky, Tom Clayton, Arthur Erdman, Dan Feeney, Emily Hoover, Marvin Marshak, Fred Morrison, Jeff Ratliff-Crain, Martin Sampson

Absent: Susan Brorson, Gary Davis, John Fossum, Marc Jenkins, Carol Wells

Guests: President Robert Bruininks; Professor Raymond Duvall (Task Force on Academic Freedom)

Other: Donna Saathoff (Office of the Chief of Staff); Sandra Ecklein (Task Force on Academic Freedom)

[In these minutes: (1) senior vice president for academic affairs appointment; (2) discussion with President Bruininks; (3) report of the task force on academic freedom; (4) statement for the Citizen's League; (5) accolades]

1. Senior Vice President for Academic Affairs and Provost Search

Professor Martin convened the meeting at 1:15. Committee members discussed the process for appointing the Senior Vice President for Academic Affairs and Provost. Professor Martin agreed to convey the sentiments of Committee members to the President. (Although the discussion was off the record, it should be noted that it was entirely about process and did not in any way reflect on Dean Sullivan.)

2. Discussion with President Bruininks

Professor Martin welcomed the President to the meeting. The President and the Committee discussed the budget and political situation, the work of the Citizens League and the Itasca Group, and a public education/relations campaign.

3. Task Force on Academic Freedom

Professor Martin next welcomed Professor Raymond Duvall to the meeting to discuss the report of the Task Force on Academic Freedom. She noted that this Committee and Senior Vice President Maziar jointly appointed the task force and drafted Professor Duvall to serve as chair. The task force members were drawn from the ranks of Regents' Professors, McKnight professors, and Academy of Distinguished Teaching members.

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Professor Duvall began by noting that he has been at the University for 28 years and this was the first FCC meeting he had attended; he expressed appreciation for the work of the Committee.

Professor Duvall then drew on his notes from his presentation of the report to the Board of Regents the previous week. He reviewed the charge, process, and lessons learned. In terms of the process, he said that the task force had been a wonderful group of nine senior faculty members from across the University that worked very hard, took the charge and the issues seriously, that was interested in and enthusiastic about its work, and felt it had a sense of responsibility to deal with the issues. The task force conducted research and met with members of the University community (including Professor Morrison from this Committee). The process was revealing, Professor Duvall commented; it was positive in that the task force members learned a great deal. They are nine senior faculty, and they kept returning to the thought that even with the number of years they had been in higher education, none had an adequate understanding of academic freedom.

The first lesson they learned is that academic freedom is a crucially important foundational principle for higher education, in two ways. It has both protective and affirmative elements. It is protective in the sense that it assures the right of free and open inquiry in the pursuit of knowledge and truth; it is affirmative in that it sustains an environment of critical scrutiny and disciplined debate of ideas and knowledge claims. Both elements are important to the institution and to the individual; both elements are important to the mission AND the society the University serves. The task force came increasingly to recognize that an important aspect of a democratic society is the way in which inquiry is conducted. Part of this lesson is that academic freedom is fragile and needs sustained and vigilant attention; it cannot be taken for granted.

The second lesson they learned is that academic freedom is not well understood in the University or in society as a foundational principle. There are a number of misunderstandings about it. One is that it is a free license to do whatever one wants. It is not, and the faculty must remind themselves that they cannot do whatever they want to. Another misunderstanding is that tenure equals academic freedom. It does not, although academic freedom is protected by tenure. Yet another misunderstanding is that academic freedom means one must present "balanced views," must present both "sides" of an issue. It does not. There is a generally fuzzy understanding of academic freedom.

The third lesson they learned is that the fuzzy understanding of academic freedom occurs because of the complexity of the concept. While the principle is simple--free and open inquiry--the challenges are not clear cut; the principle in practice is complex. The task force identified a number of situations to provide ideas about the contemporary challenges to academic freedom, which range from the obvious overt attacks to more subtle impacts due to declining funding and to challenges to knowledge production processes.

The fourth lesson they learned is that steps can and should be taken to revisit and reinvigorate the commitment to and practice of academic freedom. The task force thus offered five policy recommendations. (For those interested in reading the report, a copy is appended to these minutes.)

Professor Feeney commented that he thought the task force had produced a great report.

Professor Chomsky agreed. She said she had a question: the recommendations are forward-looking, attempting to create more and better conversation about academic freedom, but what happens when someone says that academic freedom has been violated? There is a need for some mechanism to address those concerns, in the same vein that the task force report addressed the debate, rather than with recriminations. They tried to get at that, Professor Duvall said, although they did not say precisely what the mechanisms should be. They get at the question in two ways, in recommending that the University redouble its efforts to be sure there is sufficient protection for non-tenured faculty, non-faculty (e.g., director of the press, of museums), international faculty, and assistant professors, and in recommending the University do more (they do not fault the University on this score) to build coalitions with other universities so there can be a concerted voice on academic freedom and with professional associations (such as the AAUP) so the universities do not stand alone and do not simply react to situations. What happens if there is an incident, Professor Chomsky inquired? Would a University office take academic freedom into account in dealing with allegations against a faculty member? The University needs to think about this.

Professor Martin reported that there has been a lot of discussion in the CIC about academic freedom and said she would like to share the report with the other CIC schools.

Professor Erdman said that he had a slight problem with the tone of the report when it discussed funding from industry for research. He said he has felt as a member of this Committee that there is a bias against research funding from industry, and he understands it, but the University has good regulations in place to control it. He said he did not believe the language of the report challenges his academic freedom to work with industry, but it would help if there were a balanced statement about doing so. Even mundane research projects, or a Master's thesis, can lead to important scientific discoveries and generation of research proposals to NSF, NIH, etc. There are also positive results for student learning when they interact with industry.

Professor Sampson said he was impressed by how ambitious the report is. He found it ironic that the same page of the report calls for both intro level courses to examine this concept and for more faculty awareness of the concept. It might be better to encourage attention to the concept of academic freedom at all levels of the curriculum and blend that with teaching that emphasizes inquiry more than regurgitation, the kind of undergraduate education that research universities are best able to provide.

The Committee discussed what should be done with the report. The report itself contains recommendations about broadening the understanding of academic freedom (a Great Conversation, working with the Alumni Association, and so on). Professor Martin recalled that this topic was a passion of outgoing Senior Vice President and Provost Maziar; will Senior Vice President Sullivan be as interested? The recommendations will require that the Senior Vice President do some things. Professor Duvall reported that Dr. Sullivan has requested a meeting with him to talk about the report. Professor Balas said that the Research and Social Concerns committees could help play a role in sponsoring discussions of major issues, such as stem cells and food.

Professor Duvall said that the task force felt deeply that there has been a tremendous loss of disciplined debate in the wider society. They feel very strongly about that; it is at the heart of academic freedom and the University must take seriously the idea so people understand and engage it.

Professor Marshak suggested that the recommendations could be drafted into Regents' policy, either amending existing policy or creating a new one. He suggested that Professor Chomsky could perhaps draft language.

Professor Chomsky said she had a few other questions and comments. In addition to any University-wide forums on academic freedom, the discussions have to take place within the disciplines as well, which will help pull students in to the debate. Another question is how the report will affect classroom teaching, especially the freedom to have a class where all students feel respected enough to participate. Can one say faculty must be familiar with teaching in an inclusive way so that the freedom for all to participate in debate is protected, or would that be considered an infringement of academic freedom? This is an important issue and it will come up. (Indeed, the question has come up in other contexts, and people have been waiting to see what the report on academic freedom would say about such questions.) Perhaps a conversation about such issues could be the subject of one of the university-wide forums contemplated in the report. In terms of the suggestion that the regulations on academic freedom be distributed to at least new faculty, those are so broad that they say nothing; it is conversations like the one appearing in the report itself that need to go to the faculty. Finally, she said she bristled a bit at the suggestion that faculty be asked to sign a statement about upholding academic freedom; that is a flashpoint that tends to change the conversation. Professor Hoover noted that everyone had to participate in the Responsible Conduct of Research training, but there must be some mechanism besides force-feeding to get faculty to think about academic freedom and introducing it in graduate courses. Professor Martin said academic freedom is an appropriate topic for any departmental "methods" course.

Professor Sampson noted language that warns against disciplinary orthodoxies stifling untenured faculty and observed that this could take the form of path-breaking work going unpublished because it is out of sync with current developments in an academic field. Five years later the same work might get extensive attention. This is a good issue, but how does this aspect of academic freedom correspond to tenure (another aspect of academic freedom) expectations that a candidate's work is germane to a field and that faculty be effective communicators in their scholarly work as well as in the classroom? Professor Sampson asserted that the issue as stated in the report may not translate very smoothly into a workable policy.

Professor Feeney said the report met every expectation that the Committee had when the subject was first discussed and that it should not meet a dead end. The Committee should press the administration on the issues, including the deans. The central administration is not afraid to protect academic freedom but issues arise in colleges and departments that must be dealt with. He suggested that the report be sent to the members of the Citizens League panel looking at Minnesota higher education as well as to the Itasca Group, because it represents part of what constitutes a research university.

Professor Erdman asked about the reaction of the Regents when he made his report. Professor Duvall said they appeared to be appreciative and enthusiastic and asked very perceptive questions. They were very supportive.

Professor Feeney moved that the Committee enthusiastically endorse the report and thank Professor Duvall, the members of the task force, and Ms. Ecklein. The motion was adopted unanimously.

4. Statement for the Citizen's League

Professor Morrison distributed copies of a draft statement from the Committee to the Citizen's League panel looking at Minnesota higher education. Committee members offered a number of editorial comments. Professor Morrison said he would redraft the statement in light of the comments; once the text has been agreed upon, Professor Martin will transmit it to the panel.

5. Accolades

Professor Marshak moved the following resolution:

The Faculty Consultative Committee unanimously and enthusiastically thanks Professors Judith Martin and Art Erdman, as the 2003-04 chair and vice chair, for their outstanding work on behalf of the faculty and the University. They served us well in vigorously advancing the voice and interests of the faculty while at the same time enhancing the warm and productive relationship between the faculty and the administration and Board of Regents. Their work has enabled the University to work effectively as an institution. We express our deep appreciation for their efforts and contributions.

Professor Erdman had to leave the meeting earlier; Professor Martin thanked the Committee for the sentiments, and in turn thanked Committee members for their hard work. She adjourned the meeting at 3:10.

-- Gary Engstrand

University of Minnesota