

Minutes\*

**Academic Freedom and Tenure Committee**

**Friday, March 31, 2006**

**9:30 – 11 a.m.**

**510 Morrill Hall**

Present: William Durfee (chair), Arlene Carney, Tracey Anderson, Nancy Ehlke, G. Edward Schuh, Ronald Siegel

Absent: Carol Carrier, Tom Clayton, John Mowitt, Jennifer Westendorf, Jianyi Zhang

Guests: Janet Morse

[In these minutes: (1) Academic Freedom From the Students' Point of View; (2) Committee Business (3) Post-tenure review]

Professor Durfee convened the meeting at 9:40 a.m.

**1. Academic Freedom Policies from the Students' Point of View**

Professor Durfee welcomed Janet Morse, Director, Student Conflict Resolution Center. Professor Durfee referred to the Board of Regents Academic Freedom and Responsibility policy which states that academic freedom applies to everyone, and though the committee had discussed it as it pertains to faculty, the committee was interested in hearing about it from the students' point of view. Ms. Morse distributed information about the Student Conflict Resolution Center (SCRC), saying that it was a service that helps with campus-based problems and complaints. She described the two sides of the Center, the advocate and ombudsman sides. Ms. Morse described the ombudsman process, saying that it was an informal and confidential process, and the Center advises the student of the resources and options available to them. She noted that the majority of issues have to do with grade/instructional issues, and pointed out that often students need information and assistance developing options. Referring to the information distributed to the committee, Ms. Morse cited classifications and outcomes. Professor Schuh asked what was considered "academic misconduct." Ms. Morse said it was instances of plagiarism, falsifying documents, and the like. She said the Center worked with students to strategize and often referred them to counseling services to work on communication issues. Vice Provost Carney asked about cases where they were justified and resolved. Ms. Morse cited an example, saying that she'd talked with faculty about the situation, consulted with the Dean, and resolved it accordingly with the student and faculty. She pointed out that such outcomes are something that affect and benefit all parties down the road. Professor Siegel said that this was a good tool and guideline for faculty as well. Ms. Morse added that often students' need a sounding board for their requests, and help sorting through issues.

Ms. Morse discussed the advocate process of the Center. She said this was the next step if the informal process does not work. At this point, it is in the hands of the parties involved and goes into a formal realm. Ms. Morse cited case classifications, the majority of which are academic misconduct and behavior issues. The advocate at the SCRC provides assistance to students who are going through grievance and disciplinary proceedings. Ms. Morse noted that in the 2004-05

academic year, the advocate closed 22 cases, most of which were charges of scholastic misconduct or a violation of the Student Conduct Code. Ms. Anderson inquired as to whether the Center distinguished between on campus and off-campus disputes, and Ms. Morse said that it depended on whether the charges were made through the University. Professor Schuh asked about the Center's staff size, and Ms. Morse replied that there were two full-time staff and a student from the law school acted as an advocate. She pointed out that often a law student can help with procedural issues. Professor Schuh asked about graduate students who may have visa issues, and Ms. Morse said that they would work with International Student and Scholar Services.

Professor Siegel noted the 22 cases, which he felt was remarkable considering the student body of 60,000 or so. Vice Provost Carney pointed out that the ombudsman program was strong so it prevented issues from getting to that point. Professor Siegel asked about sexual harassment issues, and Ms. Morse said that was the purview of the Equal Opportunity and Affirmative Action office. She noted that in some instances she would have to file a third party complaint if necessary. To Professor Durfee's point about the Center being a point of entry for resolution, Ms. Morse acknowledged that the Center often serves as a triage station.

Professor Durfee cited parts of the academic freedom policy and asked Ms. Morse how often this came up at the Center. Ms. Morse said that if a faculty presents information relevant to the course, it is generally not a problem, even if the student disagrees with the information. She cited examples of this. Professor Durfee asked what principles and guidelines of policy did the University adhere to in such situations, and Ms. Morse discussed how that particular case was resolved.

Professor Siegel said that students have options in courses that are elective, but what about courses that are required for a major? Vice Provost Carney said that that could be a problem. Ms. Anderson cited dissection classes in biology, and said that she is sensitive to people who do not wish to dissect animals. Most faculty, in her view, try to work with students to accommodate them. Professor Siegel asked what would happen if a student was pre-med and this was required, and Ms. Anderson said that it was part of the deal. The committee discussed faculty making accommodations for students. Ms. Morse said that sometimes the Center will field calls from faculty about students who dominate a class and usurp the instructors' control of the class, when it is clearly not an open forum.

Professor Schuh asked if many political complaints were presented to the Center. Ms. Morse said that there were very few of those, and that some students will complain that the instructor gave them a grade due to their ideology. Upon further review, it is an opportunity to work with students to elucidate the real issues of performance and academic standards. The committee discussed working with students at different stages in their academic careers.

Professor Durfee asked what would happen if a student had issues with course content which couldn't be settled "off-line", and the student took it beyond the Center. Ms. Morse said that the student can continue to complain, but ultimately it is up to faculty to decide what is relevant to a course. Professor Durfee cited aspects of the Board of Regents policy, which the committee discussed. Professor Durfee noted that if a student thinks his or her academic freedom is being violated, they do have a means of recourse according to Section 1.1 of the Regents' Student Academic Grievance policy. Vice Provost Carney said that students are more consumer-driven than they used to be and that she always suggests to them working with the Center as a

means for recourse. Professor Schuh said that in his experience, students are good at sorting out courses that will work for them. It is when a course is required that it becomes a problem.

Professor Durfee asked about organizations beyond the classroom. Ms. Morse said that there were occasionally clashes in student organizations, but that they are subject to very little oversight. There are usually few problems but when there are, there needs to be some form of oversight. Professor Durfee asked if the process was working the best it could. Ms. Morse said that there was always room for improvement, and cited examples. Professor Durfee asked where the University stood in relation to the issues on the academic side, and Ms. Morse said that she'd always found faculty to be open and responsive to issues. The committee continued to discuss instances and various situations, including those involving post docs and graduate students. Ms. Morse also cited the partnership with the Office for Conflict Resolution in working with issues that involve employees.

Ms. Anderson asked if people often bypassed the SCRC and sought legal counsel. Ms. Morse said that sometimes happened, though often students don't have the necessary resources for legal counsel.

Professor Durfee thanked Ms. Morse for the informative discussion, and reiterated the committee was interested in academic freedom on all levels and that students did indeed have recourse under existing policies and procedures if their academic freedom is violated.

## **2. Committee Business**

The committee discussed an e-mail to be sent out to the faculty regarding academic freedom. Professor Durfee updated the committee on its development and progress. The committee discussed its verbiage as it relates to the language in the Regents' policy.

## **3. Post-tenure Review**

The committee discussed post-tenure review and referred to information that was distributed at a previous meeting. Professor Durfee said that the committee could yet this year set a goal of how next years' committee should address post-tenure review. He said they should look at procedural policy and asked the committee if 7.12 statements should be a part of that. Professor Durfee went on to discuss various aspects of post-tenure review. Vice Provost Carney agreed this was a good idea, and said that many departments had made post-tenure review part of their 7.12 statements. Professor Siegel asked about incidences of post tenure review running into trouble and Vice Provost Carney cited statistics from the document. She noted that it was a complicated process and pointed out that some of the numbers are a result of the previous years' outcomes. To Professor Schuh's comment that the there was a small number of continuing cases, Vice Provost Carney said that it can be misleading because some units only deal with 1/3 of its faculty each year. She cited examples of clear statements of expectations for post-tenure review and the clarity of some units' 7.12 statements without being extreme. Vice Provost Carney discussed windows of opportunities for faculty to address issues as they progressed, and said that these are discussions that faculty will have to have in their own units.

Professor Durfee adjourned the meeting at 11 a.m.

-- Mary Jo Pehl