

Academic Freedom and Tenure Committee (AF&T)

January 27, 2017

Minutes of the Meeting

These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions or actions reported in these minutes represent the views of, nor are they binding on, the senate, the administration or the Board of Regents.

[**In these minutes:** Update on the Proposed Amendment to the Data Practices Act; Update on the Freedom of Speech and Student Dissent Forum; Professor Watchlist; Personnel Plans]

PRESENT: Phil Buhlmann (co-chair), Teresa Kimberley (co-chair), Anne Barnes, Jerry Cohen, Ben Intoy, Deborah John, Kanav Khosla, Jessica Larson, Holley Locher, Gopalan Nadathur, Gary Peter, Rebecca Ropers-Huilman, George Trachte

REGRETS: Marti Hope Gonzales, Karen Miksch

GUESTS: Eva von Dassow, president, American Association of University Professors (AAUP), University of Minnesota-Twin Cities Chapter

OTHERS: Ole Gram, assistant vice provost, Office of the Executive Vice President and Provost, Rilyn Eischens, student reporter, Minnesota Daily

1. Update on the Proposed Amendment to the Data Practices Act

Co-chairs Phil Buhlmann and Teresa Kimberley called the meeting to order, and Kimberley gave an update on the status of the proposed amendment to the Data Practices Act (formerly called the Shield Amendment). She and Karen Miksch met with the Office of the General Counsel (OGC) to finalize the language in the proposed amendment. Kimberley shared the updated language with the committee, and said that the intent had not been changed. She also reminded members that the language may change further as it goes through the legislative liaisons. Rebecca Ropers-Huilman asked why OGC had added wording referring to “government data.” Kimberley read from an email from OGC, which explained that according to [Minnesota Statute 13.02, Subdivision 7](#), “‘government data’ means all data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use,” and that the term should be referenced so that it is clear that digital and data in other media are covered. After looking over the new wording, the committee approved it to go on to the Faculty Consultative Committee (FCC) and to the Faculty Senate. The document that describes the wording changes will accompany the new draft.

2. Update on the Student Dissent/Freedom of Speech Discussion

Buhlmann then updated the committee on the freedom of speech and student dissent forum proposed by the FCC. He said that Colin Campbell, chair of the FCC, was committed to holding the forum, preferably this semester, but that it had been difficult to organize.

3. Professor Watchlist

Discussion then turned to the Professor Watchlist. Buhlmann explained that this watchlist had been created by individuals on the political right with the aim of naming professors who, according to them, “advance a radical agenda in lecture halls.” He said he found the watchlist concerning, as it names individuals and could lead to violence against these individuals. However, he said, he was not sure what action the committee could take on this, and asked for suggestions from members.

Jerry Cohen said that if students feel they are being discriminated against in the classroom due to their political leanings, there should be (and is) a mechanism by which they can address the issue within the University context, but an outside organization naming and listing individuals is concerning. He said that he does not offer his opinion unless students ask, but if they do, he gives his honest opinion, prefaced with the caveat that it is own personal opinion. Actions taken at other universities have included large numbers of professors requesting to be added to the list, and faculty issuing statements condemning the list. He also said that students taking video in classrooms can be a problem, as personal opinion can be taken out of context. Gopalan Nadathur asked whether professors can ask that video not be taken in class, and Buhlmann said that he thought they could.

Deborah John said it can be useful to think about what might be motivating someone to write such a list. She said although the watchlist is distasteful, it may have originated out of frustration over not being heard. Therefore, it is important to ensure that all students feel that they can voice their opinion. She suggested that instructors be guided by the American Association of University Professors (AAUP)’s [Statement of Principles on Academic Freedom and Tenure](#), which reads, “teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.” She said it is important for instructors to be sensitive to the diversity within their classrooms, and to take some responsibility for making students feel welcome and heard.

Eva von Dassow, president, American Association of University Professors, University of Minnesota-Twin Cities Chapter, stated that the University’s policies regarding classroom management are already sound. She added that the watchlist is a symptom of a larger issue, other symptoms of which include bills introduced in other states to end tenure and to prohibit using taxpayer money to teach certain subjects. She said it would be more useful to focus on the wider issue, rather than on one symptom. She also opined that academic freedom and tenure are not left/right issues. They are necessary for a democratic society.

Buhlmann suggested, rather than putting out a statement or taking action on the watchlist specifically, that this issue could be added to the free speech forum proposed by the FCC. von Dassow asked whether the committee can help with this forum, and Buhlmann said he would pass that offer on to the FCC chair.

Returning to the topic of political speech in the classroom, Cohen pointed out that it is entirely possible to stick to one's subject and also touch on topics that are politicized. For example, as a horticultural scientist, he has to teach about evolution and climate change. Although he refrains from offering personal opinion in the classroom without being asked, he said, students often ask him his personal opinion, in which case he will give it, with a caveat stating that it is just that, a personal opinion. He feels that connecting with students on a more personal level, when requested, is key to effective teaching and engaging students in the material. He feels it is important to have the ability to make that connection with students, and also to be free to teach science without worrying that it may offend someone. John clarified that the AAUP statement does address the issue of teaching issues that are politicized, and specifies that it is desirable to maintain a balanced conversation.

Jessica Larson pointed to the University of Minnesota Mission Statement, which specifies that the University strives to provide “an atmosphere of mutual respect, free from racism, sexism, and other forms of prejudice and intolerance.” She said that she is grappling with how to explain to students that an attitude of intolerance is an attitude that needs to be tolerated. She also pointed out that the committee's position on academic freedom is already covered in the [December 2011 White Paper on Academic Freedom and Responsibility](#). Gopalan Nadathur suggested that instead of writing an additional statement, the committee could issue a statement reaffirming the position outlined in the White Paper. Buhlmann summarized that the committee will monitor the outcome of the FCC planned forum and decide on whether further action such as a forum on a more specific topic or a written reaffirmation of the values outlined in the White Paper is needed at that point.

4. Personnel Plans

The remainder of the meeting was devoted to small working group discussions regarding the personnel plans. Kimberley officially adjourned the meeting, and instructed members that they were free to leave when their group discussions were concluded.

Amber Bathke
University Senate Office