

Academic Freedom and Tenure Committee (AF&T)
April 24, 2020
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 reflect the views of, nor are they binding on, the senate, the administration or the Board of Regents.

[**In these minutes:** Welcome and Introductions; Discussion of Online Teaching Challenges and Success; Extension of Probationary Period on Annual Appraisals; Message from the Associate Vice President and Dean of International Programs to Students Studying Abroad; Discussion on Draft Report - Recommendations for University of Minnesota Misconduct Policies and Faculty Tenure Statement; Transition to New Committee Chair and Topics for 2020-21; Visit from President Joan Gabel]

PRESENT: Jessica Larson (chair), Brian Bix, Bruno Chaouat, Hon Ki Cheung, Nicholas Fischer, Ole Gram, Holley Locher, Gopalan Nadathur, Yuichiro Onishi, Gary Peter, Karin Quick, Rebecca Ropers, Catarina Saiote, Rachna Shah, Clifford Steer, George Weiblen, Timothy Wiedmann

REGRETS: George Trachte

GUESTS: Joan Gabel, president, University of Minnesota

OTHERS: Sumanth Gopinath, acting president, American Association of University Professors (AAUP), University of Minnesota Twin Cities Chapter, Ole Gram, associate vice provost, Office of the Executive Vice President and Provost

Welcome and Introductions: Professor Jessica Larson, chair, welcomed committee members and began the meeting.

Discussion of Online Teaching Challenges and Successes: Larson began the conversation saying that she had received an email from Michael Gallope, associate professor, Cultural Studies and Comparative Literature, stating, "It has recently come to the attention of our department that Charlie Kirk, leader of Turning Points USA, sponsor of the Professor Watchlist, is seeking to capitalize on the mass-digitization of instruction, and has put out a call on Twitter:"

- "To college students who have their professors switching to online classes: Please share any and ALL videos of blatant indoctrination with @TPUSA at TPUSA/ContactUs. Now is the time to document & expose the radicalism that has been infecting our schools. Transparency!"

Larson said she responded to Gallope's email noting that she had reached out to Amy Pittenger,

chair, Faculty Consultative Committee (FCC), and Phil Buhlman, vice-chair, FCC, as well as Executive Vice President and Provost Karen Hanson. Larson also communicated with Jenn Goodnough, chair, Senate Committee on Educational Policy, who recommended responding to the situation by reinforcing components six and eight of the Administrative Policy: [*Teaching and Learning: Student Responsibilities \(Twin Cities, Crookston, Morris, Rochester\)*](#):

- Taking notes is a means of recording information but more importantly of personally absorbing and integrating the educational experience. However, broadly disseminating class notes beyond the classroom community or accepting compensation for taking and distributing classroom notes undermines instructor interests in their intellectual work product while not substantially furthering instructor and student interests in effective learning. Such actions violate shared norms and standards of the academic community. For additional information, please see: <https://policy.umn.edu/education/studentresp>.

Larson said Hanson sent an [email to all faculty and instructors](#) systemwide on March 27, 2020, and added that [The Chronicle of Higher Education](#) also reported on the issue.

Larson then invited committee members to share their assessments of how instruction and learning had changed since moving online and how they feel the move has affected their students. Responses included:

- Those whose classes had, pre-pandemic, been created for online learning, adapted without much difficulty.
- Discussion-based classes are more easily adapted to online teaching and learning than are hands-on, participatory classes requiring lab work and demonstrations.
- With very large lecture classes (over 100 students) many instructors have decided to record their lectures so that students can have access to them outside of the prescribed class time.
- Graduate level classes, usually having smaller groups of students, appear to be working well.
- As the Canvas platform used by the University does not allow for full intellectual property ownership of class materials, some faculty have opted for placing recorded lectures on YouTube, which also provides analytics regarding class attendance and participation.
- While some faculty are finding that students have been flexible and have adapted admirably to the changes, others recognize that students are under tremendous pressure, are struggling with the workload, or are feeling overwhelmed, and some appear to be suffering from mental health challenges.
- In response to added pressures, some instructors have revamped learning requirements and learning objectives.
- Faculty expressed concern regarding the challenges of working/learning from home and how it exposes the inequity in resources available to students and instructors.
- Graduate students nearing completion of their programs are under extreme stress regarding the uncertainties of their economic outlook.
- Student Ratings of Teaching (SRTs) have been changed to include additional questions

specific to online teaching/learning. Many feel this is an excellent opportunity to assess what does and does not work and use the findings to inform how the University institutes policy around online teaching/learning.

The committee briefly discussed SRTs. Rebecca Ropers said that SRTs *would* be administered this spring in an effort to learn about student and faculty responses to the adjustments required by the pandemic. SRTs will not, however, be used to make personnel or promotion and tenure decisions given the abrupt adjustment to online learning that was required, Ropers added.

Extension of Probationary Period on Annual Appraisals: Larson then turned to the decision made in early spring 2020 to [extend the tenure clock by one year](#). Guidelines and instructions regarding this extension were shared with chancellors and Twin Cities deans in a memo from Rebecca Ropers dated May 13, 2020. Whether or not to extend their own probationary period by one year is the decision of individual faculty. Ropers noted that the University of Minnesota is one of the few Big 10 Universities that immediately decided to give this extension to everyone who was eligible, acknowledging the enormity of the changes that were being required. She encouraged everyone to review the [Frequently Asked Questions Regarding Evaluation Processes for Faculty and Continuous Track Appointments](#) for further information.

Larson then asked about the administration's expectation for conducting annual reviews. Ropers said the expectation is that annual reviews will take place in such a way that is meaningful and supportive to faculty and staff.

Larson next asked how faculty would be evaluated on recognition events they would be unable to attend given the travel restrictions imposed in response to the COVID-19 pandemic. An invitation to, or attendance at, certain conferences or events often serve as recognition of scholarship, research, or academic accomplishment, Larson said, and wondered if such an event would still be evaluated as part of tenure and promotion, even if a faculty member could not attend the event. Ole Gram said in discussion with administration about this situation, it was decided that if the scholarship/research/accomplishment for which a faculty had been recognized could be made publicly retrievable (on a faculty's website, for example) it would then be considered documentation of the accomplishment and would be used in evaluation.

Message from the Associate Vice President and Dean of International Programs to Students Studying Abroad: Larson then moved on to [a letter](#) sent from Meredith McQuaid, associate vice president and dean, International Programs, Global Programs and Strategy Alliance (GPS Alliance) on March 15, 2020, requiring all students studying abroad to return to the United States "immediately.... but no later than March 20, 2020") in light of the COVID-19 pandemic. Members of the American Association of University Professors (AAUP), Twin Cities Chapter, sent [a letter](#) to Amy Pittenger, chair, and Phil Buhlmann, vice chair, Faculty Consultative Committee (FCC), expressing their concerns regarding some of the demands being made in Dean McQuaid's letter.

AAUP members from the Twin Cities chapter advocated for graduate students being treated

differently than undergraduate students as graduate students are peers in training and professionals in their fields. Sumanth Gopinath, acting president, AAUP, suggested that graduate students would appreciate receiving recommendations and best practices for emergency situations rather than demands and threats of dis-enrollment. He and Gopalan Nadathur, AAUP secretary and incoming chair of AF&T, both suggested that this remains an important topic for attention in the coming academic year.

A brief discussion followed regarding support for graduate students who are nearing the completion of their programs. Committee members asked if consideration had been given to extending financial support for graduate students whose work may have been interrupted or halted for the time being. Ropers said that given the financial difficulties the University foresees, it is something that will continue to be discussed as there is no firm answer at this time. She did note that at the April 23, 2020, University Senate meeting, it was decided that those faculty who were promoted in 2019-20 would receive their promotional increase.

Discussion on Draft Report: Larson said her intention for the [Recommendations Regarding the University of Minnesota's Policies and Procedures for Misconduct and its Impact on Faculty Tenure and Academic Freedom Report](#) was to outline the University's existing processes for addressing faculty misconduct at work, and the committee's recommended changes and clarifications to the processes that it would like to see going forward.

Ropers said she would like to have a clearer sense as to how this committee feels about the University investing in and prioritizing restorative justice as part of the overall process. Larson asked George Wieblen and Sumantha Gopinath, both of whom expressed support for including restorative justice when determining sanctions and follow up proceedings, to add their comments to the draft report.

Rachna Shah asked if there might be other institutions whose policies could be reviewed prior to the University finalizing its policy. Ropers recommended the [Action Collaborative on Preventing Sexual Harassment in Higher Education through the National Academies for Science, Engineering and Medicine](#) (Action Collaborative) as an excellent resource. She added that co-chairs Phil Buhlmann and Amanda Turmuhlen, President's Initiative to Prevent Sexual Misconduct (PIPSM), are also members of the Action Collaborative and have chosen to prioritize the topic of reintegration in their work with the collaborative.

Larson then asked committee members to submit their comments on the draft report no later than July 1, 2020, at which time Larson will incorporate comments and the report will be considered final. Upon completion, the final report will be submitted to the FCC for presentation as information only at its first meeting of the 2020-21 academic year. Larson asked for a voice vote to approve the above process and committee members voted in favor.

Transition to New Committee Chair and Topics for 2020-21: Next, Larson told committee members that Gopalan Nadathur would be the new chair of the AF&T beginning July 1, 2020. She then asked what topics the committee would recommend for academic year 2020-21 and

members suggested the following:

- Continued discussion and policy development around student travel policies.
- Policy around how the move to online instruction relates to and/or changes academic freedom.
- Response rates for class evaluations as they relate to the tenure process; comparing the rate of response for online classes as compared to in person classes.
- Communication strategies for deans and department heads in guiding their departments through the phases of experiencing an accusation of faculty misconduct.

Visit from President Joan Gabel: Larson welcomed President Joan Gabel to the meeting and invited a round of introductions. Gabel thanked committee members for their continued work in their disciplines as well as committing additional time and energy to the work of governance. She then responded to the following questions which had been submitted prior to the meeting:

1. Can you tell us about your own experience as a faculty member and then as an administrator informing how you see the value of academic freedom in a university?

- Gabel briefly described her early years as a tenure-track associate professor followed by her move into administration. She noted that prior to receiving tenure, she felt she was in a vulnerable position sometimes, given that many of her colleagues found her topic of research provocative within the rather narrow lane in the environment of her academic appointment.

2. In recent years, faculty teaching in areas or topics that are at the center of current political and social divisiveness have been personally challenged by entities on campus, by legislative groups, and by outside actors willing to publicly harass to cause financial and professional damage. What can your office do to support diversity in learning and protect your faculty when they deliver it in their teaching and research?

- Gabel gave an example of visiting alumni chapters on the west coast, and frequently being asked if she was ensuring that the University was balanced, included conservative points of view, and that students and faculty scholars in both their research and teaching are balanced in the same way. She said she strongly supports measured disagreement, and that having one's position challenged is part of being educated and requires one to thoughtfully articulate their strongly-held beliefs.

3. The #MeToo Movement has focused attempts to hold individuals accountable for sexual misconduct in the workplace, some more successful than others in balancing the need for justice with the functionality of the organization. Academia has a unique characteristic in this process with the policy of tenure. How do you, as the face of the University, communicate to the public that students and employees are safe from harassment yet reaffirm the importance of tenure to your faculty?

- Gabel said that in her discussion with the members of the Board of Regents, she has indicated that she trusts faculty to govern themselves competently and to recommend necessary changes to governing procedures when appropriate.

4. How does personal misconduct relate to academic integrity?
- Gabel said that is an extremely challenging question. She said she believes one's personal behavior *can* affect one's academic integrity. That said, she added, it is through a review process and recommendations by peers that a case of tenure and promotion comes before her, and she bases her decisions on the carefully considered recommendations that the process provides to her.
5. How do we ensure that anyone who resolves a sanction as required by the integrity process will not face further personal and professional harassment? Is restorative justice possible?
- Gabel said she believes restorative justice is possible, but that it is usually a slow, evolutionary process of community rebuilding and should not be expected to happen immediately. She added that while it is important for the sanctioned party to realize that completing the sanctions is only the first step, the *community* must have structures already in place for accepting that the imposed sanctions have been completed, and be ready to move forward with acceptance.
6. Not long after Coronavirus upended universities this spring, there were the usual spate of articles declaring the end of tenure as we know it as institutions use this financial fragility to reset with cheaper, temporary labor. How do you see these recent events affecting tenure in academia? We've been told that the U of MN has one of the more robust tenure codes, will it withstand this period?
- Gabel said while there is currently a hiring freeze at the University, promotions for both faculty receiving tenure and staff being promoted through continuous appointment will go through. She added that the administration recognizes that tenure is important enough to be considered an exception to constraints that the University's new financial environment creates.

Shah asked Gabel what she believed to be the biggest challenge in moving the University forward, post pandemic. Gabel said the most difficult thing right now is guiding the institution forward without concrete information or the ability to fully anticipate the overall affects the pandemic will have on not only the University, but the world at large. Two working groups ([Academic and Research Planning Work Group](#) and the [Finance and Operations Planning Work Group](#)) have been created, she added, to advise the administration on planning strategies to advance the University in the midst of the challenges posed by the COVID-19 pandemic.

In the interest of time, Larson thanked Gabel on behalf of the committee and adjourned the meeting.

Geanette Poole
University Senate Office