

Academic Freedom and Tenure Committee (AF&T)
April 26, 2019
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; Pen America Workshops Recap; Update on the Reproductive Rights Advocacy Fellowship Delay; Discussion on White House Executive Order Regarding Free Speech; Committee Items for 2019-20 Academic Year]

PRESENT: Jessica Larson (chair), Anne Barnes, Holley Locher, Gopalan Nadathur, Yuichiro Onishi, Gary Peter, Rebecca Ropers, Rachna Shah, George Trachte, Timothy Wiedmann

REGRETS: Brian Bix, Jerry Cohen, Nicholas Fischer, Kristin Hickman, Catarina Saiote

ABSENT: Karin Quick, Nathan Shippee

OTHERS: Brianne Keeney, deputy chief of staff for policy and initiatives, Office of the President

1. Welcome and Introductions

Chair Jessica Larson welcomed committee members and began the meeting.

2. Pen America Workshops Recap

Larson invited Rebecca Ropers, vice provost, Faculty and Academic Affairs, to give a recap of the Pen America Workshops titled “Free Speech, Hate Speech, and the Future of Campus Community at the University of Minnesota, held on April 9 and 10, 2019. Ropers said there were roughly 200 people who attended the workshops, among them students, faculty and staff, with staff representing the largest number of attendees. The seminars included a First Amendment primer, followed by small group discussions. Ropers praised Pan America as a wonderful organization to work with as they are taking up the issues of inclusivity and diversity along with free speech, and she sees those elements as essential to the discussion.

Ropers added that Pen America would prepare a follow-up report with specific recommendations for the University community’s next steps. Ropers listed some answers to a survey question that was given to participants after the workshops. The question was: “The University of Minnesota should be doing more to” followed by a list of possible responses. Ropers said the three most frequently chosen responses were:

- Offer tools and strategies for engaging respectfully across differences
- Educating about issues of bias, race, diversity and inclusion
- Providing opportunities for students to hear from voices with which they disagree

Ropers invited Yuichiro Onishi to share his comments as a panel member at the workshops. Onishi said he found the small group discussions most productive as participant assumptions were challenged but in a productive manner.

Ropers then explained that because Pen America is operating on a grant for this first round of workshops, there was little cost to the University. Holley Locher said she appreciated the ground rules that were in use at the workshops, which encouraged respectful dialog. She suggested that it is a good model for faculty to bring to the classroom, as it allows for participants' differences of opinion to be shared in a safe environment.

A robust discussion followed concerning how different generations grasp information regarding free speech and the First Amendment to the Constitution; with teachers and students having differing opinions on the most important and salient points in the amendment, and how that should play out in classrooms.

There were many groups whose efforts went into the planning and success of the Pen America event, Ropers noted, including the Office of Student Affairs, the Minnesota Student Association (MSA), representatives from the Office of Equity and Diversity (OED), and University Relations. The event was also sponsored by the Provost's and President's offices. She added that Pen America would be submitting a follow up report to the University, and in the fall of 2019 would be making a broad set of recommendations around free speech on college campuses in general.

3. Update on the Reproductive Rights Advocacy Fellowship Delay

Larson said she requested an update from the office of Jakub Tolar, dean and vice president for clinical affairs, University of Minnesota Medical School, regarding the Reproductive Rights Advocacy Fellowship delay. The response was that there were no updates at this time, and that there had not been any applications or need for approval put forward to the Dean's Office.

4. White House Executive Order: Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities

Larson then asked the committee members for their thoughts on the recently issued [White House Executive Order: Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities](#). She said she felt it was important for the AF&T to go on record with a reaction to it, as she had fielded a number of questions as to how this particular committee was responding to the executive order. Rachna Shah said the language in the executive order made it seem like further restrictions were being imposed on activities such as applying for national grants; she said there was a sense of restraint associated with the order, in her opinion. Larson asked, "If one person on a campus said something considered by the White House to be inflammatory, would the entire campus suffer?"

Onishi Yuichiro, referring back to the reproductive rights fellowship delay, said there must be dialogue with University Senate governance when issues such as the delay occur. He added that governance is in place to insure that there is thoughtful discussion and dissemination of

information around potentially polarizing issues. If the dean of the Medical School had consulted with University Senate governance, there would have been better shared understanding by the University community as to what was taking place, and that could have prevented media sources from “exploding” the issue.

Timothy Wiedmann said he felt that this issue represented a breach in academic freedom and AF&T *should* have strongly supported the awarding of the fellowship. He added he felt the University made its decision to delay the awarding of the fellowship in order to preserve its own financial interests. He reiterated that the committee had a chance to make a statement in the fall of 2018 but there was significant hesitation by the committee.

Larson said she thought the administration was trying to avoid making a decision prior to the national and state midterm elections. Gopalan Nadathur said the committee has an obligation to respond, and the response should be informed by whether or not academic freedom was compromised, not by whether or not money was an influencing factor. Yuichiro added that the committee should include in their statement (regarding the fellowship delay) the imperative of transparency.

A robust discussion took place regarding how outside influences, including fiscal and legislative pressure, should be handled when academic freedom is at stake. The committee’s position is that academic freedom should not be influenced by outside pressures. They felt, however, that as it was something that most likely would occur eventually, a decisive, clear statement from the committee was necessary. Yuichiro recommended that the committee reread the [white paper](#) that AF&T produced in 2011 to inform the statement to be sent to administration. Committee members agreed to collectively revise the statement over the next two weeks so a finalized version can be sent to administration prior to the end of spring semester.

5. Discussion Regarding Committee Items for 2019-20 Academic Year

Larson asked the committee what issues they would like to take up in the coming 2019-20 academic year. She recommended a careful review of the point in the [Memo regarding 7.12 and Key Areas](#) that suggests behavior can be considered when evaluating faculty for tenure and promotion. She read from the memo:

- **Responsible Conduct:** The University of Minnesota’s [Faculty Tenure](#) Administrative Policy states that “What the University of Minnesota seeks above all in its faculty member is intellectual distinction and academic integrity.” While intellectual distinction is reasonably viewed as primary in promotion and tenure evaluations, it is reasonable that when a faculty member’s behavior impedes their ability to teach, research or provide service effectively, that behavior can be taken into account in their evaluation. How does your unit’s 7.12 articulate the behavioral expectations for faculty as they relate to fulfilling scholarly expectations?

Larson reminded committee members that when this memo was originally discussed at the AF&T’s February 22, 2019, meeting, Ropers was very clear that it was in no way a policy or a directive, but simply a set of questions for departments to use to help shape their 7.12

statements.

Anne Barnes noted that the current language in the document does not have a clear relationship to what type of information the administration is trying to capture, or what type of behavior it is trying to prevent. She added there were no limits or boundaries the way the statement is currently worded and should be clarified. Barnes also noted that as there is already a Board of Regents policy for code of conduct, and wondered if this really needed to be part of the 7.12.

Committee members discussed what aspects of the 7.12 statements should be on AF&T's agenda for the coming academic year. Nadathur noted that the committee was not responsible for approving anything associated with the 7.12 statements. He said it was the committee's responsibility to review the 7.12 statements and if something problematic was found, to bring that to the department administration's attention. Larson explained that, additionally, it was important for the committee to weigh in on the [Memo regarding 7.12 and Key Areas](#) so it would be on record with its opinion.

She then asked if there were any other topics the committee would like to look at in the next academic year. Onishi related an incident of a faculty member receiving violent emails and death threats because of a class he was teaching called Marx for Today. He asked the committee to consider how it could address this type of coordinated, external attempt to politicize events on campus. Racha Shaw said because teaching is such a significant part in tenure and promotion, she was interested in hearing more about GPA distribution across courses, comparative GPAs between online and classroom courses, and specifically looking at the data through the lens of gender.

Larson concluded by saying she would like to invite President-Designate Gabel to an AF&T meeting early in the academic year to share with her the work the committee is engaged in.

Hearing no further discussion, Larson adjourned the meeting.

Geanette Poole
University Senate Office