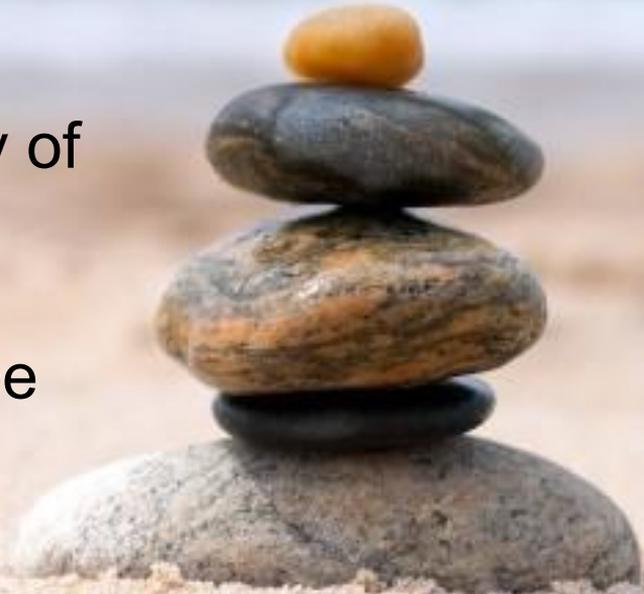


Implement Assessment and Uphold Academic Freedom

Monica Stitt-Bergh, University of Hawai'i at Mānoa

Kathleen Gorski, Waubonsee Community College



Welcome!



Monica
Stitt-Bergh



Kathleen Gorski



AALHE 2019



Learning Improvement
Summit, 2019

A disclaimer

We have done the research. However, we are not trained experts in

- Academic freedom
- The First Amendment
- Constitutional Law
- Your campus's contract with faculty

For any legal matter involving academic freedom, seek the appropriate counsel on your campus or from trained experts.

How this session will work

Before watching, please [download the PDF for this session](#).

Link:

During this video, we'll ask you to pause, read, write, and resume video.

Thank you!

APPENDIX I

1915 Declaration of Principles on Academic Freedom and Academic Tenure

Prefatory Note

At the December 1913 meetings of the American Economic Association, the American Political Science Association, and the American Sociological Society, a joint committee of nine faculty members was constituted to consider and report on the questions of academic freedom and academic tenure, so far as these affect university positions in these fields of study. At the December 1914 meeting of these three associations a preliminary report on the subject was presented by the joint committee.

At the meeting of the American Association of University Professors in January 1915, it was decided to take up the problem of academic freedom in general, and the president of the Association was authorized to appoint a committee of fifteen which should include, so far as the members were eligible, this joint committee of nine. The committee was therefore constituted as follows:

Edwin R. A. Seligman, *Chairman*, Columbia University (Economics)
Richard T. Ely, University of Wisconsin (Economics)
Frank A. Fetter, Princeton University (Economics)
James P. Lichtenberger, University of Pennsylvania (Sociology)
Roscoe Pound, Harvard University (Law)
Ulysses G. Weatherly, Indiana University (Sociology)
J. Q. Dealey, *Professor*, University of Political Science
Henry W. Far
Charles E. Be
Edward C. El
Guy Stanton
Charles Atwc
Arthur O. Lo
Frederick W. Padelford, University of Washington (English)
Howard C. Warren, Princeton University (Psychology)

In view of the necessity of investigating an incident at the University of Pennsylvania, Professor Lichtenberger resigned in August 1915, and was replaced by Professor Franklin H. Giddings, Columbia University (Sociology). Professor Elliott, having been elected chancellor of the University of Montana, resigned in October. Professor Ford resigned in December, on account of inability to attend the meetings of the committee.

The committee of fifteen had scarcely been constituted when a number of cases of alleged infringement of academic freedom were brought to its attention. These cases were not only numerous, but also diverse in character, ranging from dismissals of individual professors to dismissal or resignation of groups of professors, and including also the dismissal of a university president, and the complaint of another university president against his board of trustees. The total number of complaints laid before the chairman of the committee during the year was eleven. As it was impossible for the committee to command the time or the amount of voluntary service necessary for dealing with all of these cases, those which seemed the most important were selected, and for each of these a subcommittee of inquiry was constituted. In the case of the University of Utah the special committee began work in April and published its report during the summer. In the case of controversies at the University of Colorado, the University of

1940 Statement of Principles on Academic Freedom and Tenure

with 1970 Interpretive Comments

In 1915 the Committee on Academic Freedom and Academic Tenure of the American Association of University Professors formulated a statement of principles on academic freedom and academic tenure known as the 1915 *Declaration of Principles*, which was officially endorsed by the Association at its Second Annual Meeting held in Washington, D.C., December 31, 1915, and January 1, 1916.

In 1925 the American Council on Education called a conference of representatives of a number of its constituent members, among them the American Association of University Professors, for the purpose of formulating a shorter statement of principles on academic freedom and tenure. The statement formulated at this conference, known as the 1925 *Conference Statement on Academic Freedom and Tenure*, was endorsed by the Association of American Colleges (now the Association of American Colleges and Universities) in 1925 and by the American Association of University Professors in 1926.

American Association of University Professors (AAUP) and others

in 1934, representatives and of the Association the principles that had *Academic Freedom and the 1940 Statement of*

Principles on Academic Freedom and Tenure.

Following extensive discussions on the 1940 *Statement of Principles on Academic Freedom and Tenure* with leading educational associations and with individual faculty members and administrators, a joint committee of the AAUP and the Association of American Colleges met during 1969 to reevaluate this key policy statement. On the basis of the comments received, and the discussions that ensued, the joint committee felt the preferable approach was to formulate interpretations of the 1940 *Statement* from the experience gained in implementing and applying it for over thirty years and of adapting it to current needs.

The committee submitted to the two associations for their consideration *Interpretive Comments* that are included below as footnotes to the 1940 *Statement*.¹ These interpretations were adopted by the Council of the American Association of University Professors in April 1970 and endorsed by the Fifty-Sixth Annual Meeting of the Association in July

Why protect academic freedom?

History

- Pursue scientific inquiry that is in **conflict with prevailing tradition/leadership**
- Required to take an **oath on organizational membership**

In sum, knowledge must be consistent with a **single system of truth**



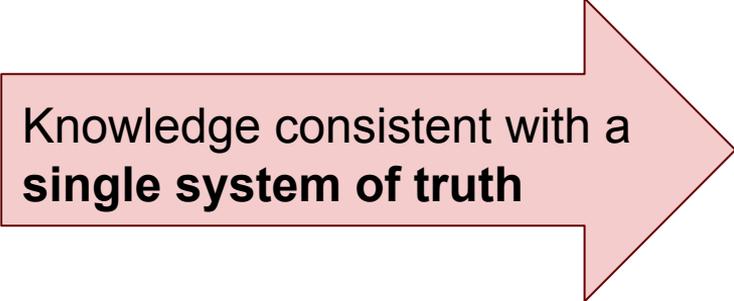
Galileo Galilei
(Source: Wikipedia)



Why protect academic freedom?

Purpose of higher education

Knowledge consistent with a
single system of truth



New knowledge **free from external influence**

Instill in students
independence of mind/ thought (not indoctrination)

For the
common
good

Higher ed institutions as “instruments of the common good rather than as organizations promoting the private views of wealthy donors or the passionate commitments of transient political majorities.”

(Finkin & Post, 2009, page 8)



Protection from external political interference or repression has allowed **our colleges to be great.**

(Stone, 2015)



Photo credit: C. Macdonald

Academic freedom grants crucial rights to our faculty for teaching and research and we all play a role in upholding these rights.



With the rights come responsibilities

New knowledge **free from**
external influence

Instill in students
**independence of mind/
thought** (not indoctrination)

Responsibility:
Adhere to standards
of the scholarly
profession for
research and
teaching

“In essence, academic freedom consists of the freedom to pursue the scholarly profession according to the standards of that profession.”

(Finkin & Post, 2009, page 7)



Academic freedom gives carte blanche to teach whatever and however an individual wants.

MYTH

Higher ed institutions are here to further an individual institution's or an individual faculty member's interest.

MYTH

Academic freedom only involves rights & freedoms, not duties.

MYTH

The campus/administration cannot specify job-related procedures and requirements for faculty members.

MYTH

Academic Freedom and the Assessment of Student Learning

Academic freedom is necessary not just so faculty members can conduct their individual research and teach their own courses, but so they can enable students—through whole college programs of study—to acquire the learning they need to contribute to society (AACU, 2006, para 3).



Academic Freedom and the Assessment of Student Learning

Faculty are responsible for establishing goals for student learning, for designing and implementing programs of general education and specialized study that intentionally cultivate the intended learning, and for assessing students' achievement. In these matters, faculty must work collaboratively with their colleagues in their departments, schools, and institutions as well as with relevant administrators. (AACU, 2006, para 3).



Academic Freedom & Assessment Checklist

To uphold academic freedom as it pertains to outcomes assessment, we can ask the following:

1. Are assessment efforts driven by faculty?
2. Do assessment experts educate, guide, and coordinate those efforts?
3. Are faculty free to contribute to plans, to analyze measures, and discuss uses and voice their opinions?

Academic Freedom & Assessment Checklist

4. Did faculty identify learning outcomes and create plans to ensure that their students are meeting them?
5. Does the campus's requirements associated with assessment provide flexibility for disciplinary differences?
6. Do the learning outcomes or the assessment of learning help the faculty accurately represent the methods, aims, and subject matter of their scholarly community?

Academic Freedom & Assessment Checklist

7. Do the models or approaches generate faculty discussion that inform pedagogy and curricular revision?
8. Is the institution's definition of academic freedom being followed?

Adapted from and with gratitude to Cain, T. R. (2014, November).

Case Studies

Let's apply what we have learned.

Please download the following:

- Handout Case Study 1
- Handout Case Study 2
- Academic Freedom Checklist



Please pause the
video

Read case #1

Answer the questions.

Then start the video again.





Pause the
video



Case 1: Dr. Krebs

- Gave the same exam to different courses
- Covered only one theory in his courses
- One (and the same) required reading for different courses
- Initially, department deemed Dr. Krebs as performing adequately
- Later, dismissed from his appointment by administration

Case 1.

(1) Was Dr. Krebs' academic freedom infringed upon?

Yes, because due process was not followed.

Evaluation criteria changed with **no notice to Dr. Krebs.**

Department testimony: **no standards existed; no common syllabus**

Thus, Dr. Krebs was wrongly dismissed for **doing what was previously deemed acceptable** (because there were no standards).

Case 1.

(2) Can the Sociology department establish the content and teaching methods, including how to evaluate students, for their sociology courses?

Yes

Faculty are bound by disciplinary and department standards.

“AAUP emphasizes the collective responsibility of the faculty . . . can adopt pedagogical or curricular standards that colleagues teaching the course(s) need to adopt.”

Gary Rhoades, former AAUP general secretary (Gold, et al., 2011)

Case 1.

(3) Can the campus administration ask faculty to change course content, teaching methods, including how to evaluate students?

Yes and no.

Yes, administration can impose job-related requirements upon faculty.

No, the administration does not set the content or teaching methods.

Case 1.

(4) The AAUP concluded that the decision to terminate the appointment was wrong. **What action(s) is appropriate given principles of academic freedom?**

AAUP's position::

Dr. Krebs: "patently **unprofessional**"

Should have been viewed as **remediable**

Should suggest an **improvement in teaching methods**

Clarify and uphold standards and procedures

Please pause the video

Read the section on Case #2

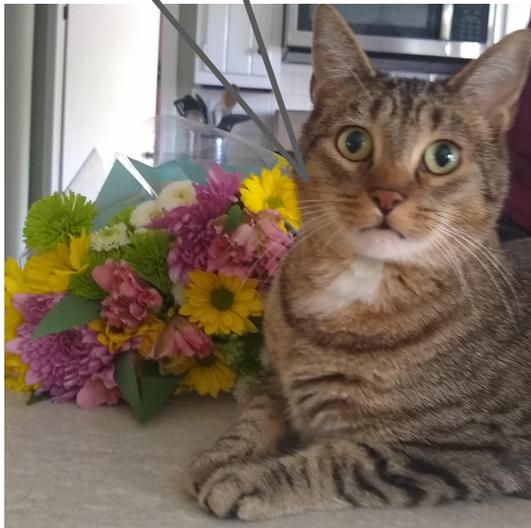
Answer the questions.

Then start the video again.

Thank you!



Pretty please,
pause the video



Case 2: Dr. Wirsing

- Faculty member refused to use required course evaluation
- She said it was against her academic freedom

Case 2. Infringement upon academic freedom?

(1) Did the new standardized student evaluation form infringe on the faculty member's academic freedom?

(2) Can the campus administration withhold merit pay for not using the required student evaluation form (Even though we know she is highly rated by her peers)?

Case 2. Conclusion

(1) Did the new standardized student evaluation form infringe on the faculty members academic freedom?

No, the form does not infringe on academic freedom.

Academic freedom does not provide a pass for job procedures and requirements. It is not a licence for activity at variance. It also does not protect activities which internally go against the proper function of the University or are disruptive of the education process.

Case 2. Conclusion

(2) Can the campus administration withhold merit pay for not using the required student evaluation form (Even though we know she is highly rated by her peers)?

Yes. The faculty member was not denied a merit salary increase because of her teaching methods, presentation of opinions contrary to the university, or presenting controversial ideas to her students. She was denied merit for her refusal to comply with the university's requirements.

Academic freedom does not dismiss job related requirements.

Tips to responding to claims that assessment infringes upon academic freedom



Tips to responding

Know your campus policy and faculty contract



Tips to responding

Turn to the checklist



Tips to responding

Have an open, safe discussion about the rights and responsibilities associated with academic freedom

I wonder what AAUP says about academic freedom?



Tips to responding

Do not engage.

May not be possible to discuss.

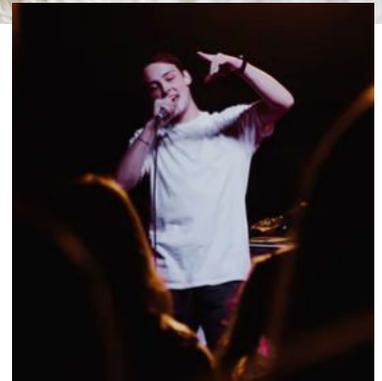
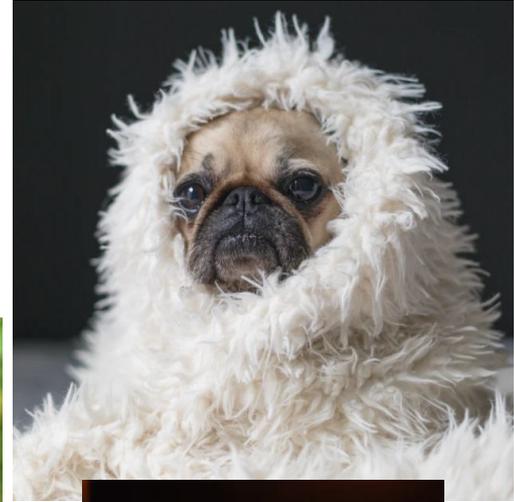
Both sides must presume welcome and be willing to listen for understanding.



Wrap up

Academic freedom

- Crucial to higher education
- Rights and responsibilities
- Assessment can be done without infringing upon it



Thank you for joining us.



Links. Contact information

This presentation & handouts (as a PDF)

Handout Case #1

Handout Case #2

Checklist

References

- Association of American Colleges & Universities (AACU) (2006) Academic freedom and educational responsibility. Retrieved from <https://www.aacu.org/about/statements/academic-freedom>
- American Association of University Professors (AAUP). (2006). Statement on government of colleges and universities. In AAUP Policy Documents & Reports (10th ed., pp. 135–140). Washington, DC: Author.
- Byrne, J. Peter, "Academic freedom of part-time faculty" (2001). *Georgetown Law Faculty Publications and Other Works*. 1690. <https://scholarship.law.georgetown.edu/facpub/1690>
- Byrne, J. Peter, "The threat to constitutional academic freedom" (2004). *Georgetown Law Faculty Publications and Other Works*. 1688. <https://scholarship.law.georgetown.edu/facpub/1688>
- Byrne, J. Peter, "Constitutional Academic Freedom after Grutter: Getting Real about the "Four Freedoms" of a University" (2006). *Georgetown Law Faculty Publications and Other Works*. 444. <https://scholarship.law.georgetown.edu/facpub/444>
- Cain, T. R. (2014, November). Assessment and academic freedom: In concert, not conflict (Occasional Paper No. 22). Urbana, IL: University of Illinois and Indiana University, National Institute for Learning Outcomes Assessment (NILOA).
- O'Neil, R.M (2008, June). *Academic freedom and the role of accreditation*. Paper presented at the 2008 CHEA Summer Workshop, Pentagon City, VA. Retrieved from https://www.chea.org/sites/default/files/presentations/2008_SW_Bob_Oneil_Presentation.pdf