Motion to Establish a Formal Procedure for Resolving Faculty Allegations of Academic Freedom Violations

November 8th, 2023

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Introduction

- Reorganization of Faculty Handbook completed, yet work remains
- Academic Freedom, without retaliation, is guaranteed for all faculty

  “CTAF has the responsibility of reviewing problems involving the academic freedom of both tenured and non-tenured faculty, whether part-time or full-time. In these cases, the Committee on Tenure and Academic Freedom shall endeavor to verify the facts of the academic freedom case.”

- Academic freedom defined (Chapter 1, Section II, Part V)
- But Faculty Handbook has few details regarding procedures
Academic Freedom Working Group

• Working group approved by CTAF:
  – Provost
  – 3 former chairs of CTAF (one a former department head)
  – Current chairs of COG, CTAF
What We Did Last Summer

• Listening sessions
  - Academic deans
  - Department heads
  - General counsel
  - Faculty governance
  - Faculty groups – probationary, tenured, secure contract, and open

Timeline

• Summer 2023 – listening sessions
What We Are Doing A-Term

- Listening sessions
  - Academic deans
  - Department heads
  - General counsel
  - Faculty governance
  - Faculty groups – probationary, tenured, secure contract, and open

- Creating draft
  - Flow chart
  - Faculty Handbook content

Timeline

- Summer 2023 – listening sessions
- A-term – update faculty (and trustees) with progress
What We Doing in B-Term

- Listening sessions
  - Academic deans
  - Department heads
  - General counsel
  - Faculty governance
  - Faculty groups – probationary, tenured, secure contract, and open
- Creating draft
  - Flow chart
  - Faculty Handbook content
- Finalize details with COG and CTAF
- Motion to faculty

Timeline

- Summer 2023 – listening sessions
- A-term – update faculty (and trustees) with progress
- B-term, week 1 – draft of motion for faculty review
- November 8th – motion to discuss at Faculty meeting
- December 6th – motion and vote at Faculty meeting
Guiding Principles for CTAF Cases Alleging Violation of Academic Freedom

Defined in May 2023: Affirmed by CTAF, Administration, OGC and Trustees

| AFD | Violations are based on definition of AF in Faculty Handbook |
| INF | Before formal proceeding, possible informal resolutions |
| ALL | Before deciding violation, seek input from all relevant parties |
| NRT | Guaranteed nonretaliation in all respects |
| REM | Remedies appropriate for individual case |
| CNF | Confidentiality must be protected |
Aim to strike a balance:

- Avoid procedure that deters complainants from coming forward
- Ensure all evidence is confirmed
- Applicable to all faculty members

While adhering to principles
Conduct interviews, review evidence

AFS has enough evidence to make ruling?

Yes

Complaint willing to expand scope?

Yes

No

No (ruling will be "not enough evidence")

Decision
**Decision**

- Take vote for preliminary finding
  - not enough evidence
    - Violation?
      - no
        - Inform complainant
      - yes
        - Inform complainant, provide feedback
    - yes
      - Inform complainant
      - Produce detailed report
      - Case closed
  - no
    - Interview all relevant parties
      - yes
        - Evidence confirmed?
          - yes
            - Inform complainant, provide feedback
          - no
            - Case closed
          - no
            - All relevant parties heard from?
              - yes
                - Produce detailed report
              - no
                - Case closed
Resolution

- Normal tenure process but predict

Probationary?

- yes
  - Recommend actions: structure, contract, financial, oversight...
  - Send detailed report and recommendation to Provost
  - Provost produces management plan
  - Send plan to AFS

- no
  - Notify all parties
  - Provost takes appropriate action
  - Provost reports yearly to CTAF until plan done
  - Case closed
# Procedure and Principles

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<thead>
<tr>
<th>Stage</th>
<th>Activity</th>
<th>AFD</th>
<th>INF</th>
<th>ALL</th>
<th>NRT</th>
<th>REM</th>
<th>CNF</th>
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</thead>
<tbody>
<tr>
<td><strong>Initial</strong></td>
<td>Consultation; informal resolution</td>
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<td><strong>Investigation</strong></td>
<td>Conduct interviews; review evidence</td>
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<tr>
<td><strong>Decision</strong></td>
<td>Vote on violation; confirm facts</td>
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<td><strong>Resolution</strong></td>
<td>Recommendations, management plan</td>
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The ability to navigate, and to learn from, difficult situations is critical to the continued health of our community.

Timeline
- **Summer 2023** – listening sessions
- **A-term** – update faculty (and trustees) with progress
- **B-term, week 1** – draft of motion for faculty review

**Now**
- **November 8th** – motion to discuss at Faculty meeting
- **December 6th** – motion and vote at Faculty meeting

Comments and questions?
Additional Background Materials
Academic Freedom

A. Faculty members are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties; but research for pecuniary return should be in accordance with established WPI policy.

B. Faculty members are entitled to freedom in the classroom in discussing their subjects and evaluating their students, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subjects.

C. College and university faculty members are citizens, members of learned professions, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As persons of learning and as educational officers, they should remember that the public may judge their profession and institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not institutional spokespersons.

Academic Freedom

D. All members of the WPI Faculty, whether they are tenured, are on the tenure track during their probationary period, or hold secured or short-term nontenure-track appointments, have academic freedom as defined in this Constitution. As members of the WPI Faculty, they are guaranteed non-retaliation with respect to appointment decisions and other conditions of employment for exercising the full range of academic freedom in all their contributions to the University including participation in its governance. Their right to express their views without reprisal is secured by access to all procedures described in this Faculty Handbook.