

Academic Freedom Grievance Task Force

Report and Proposals

The Academic Freedom Grievance Task Force (AFGTF) was created via unanimous vote at the April 2019 Faculty Senate Meeting. This body met regularly throughout the fall of 2019 and was charged with 1) developing a process to report Academic Freedom Grievances to SACSCOC and 2) creating a process through which Academic Freedom Grievances may be resolved. The members of the task force were: Andrew Pieper (Chair), Jennifer Purcell, Ken Hoganson, Jerald Hendrix, and Danielle Buehrer. Kevin Gwaltney also attended meetings and aided in the creation of the policy proposals outlined below.

Summary of Recommendations: The AFGTF recommends the creation of a Standing Committee on Academic Freedom (CAF), which would collect complaints related to #1 above, and would oversee the preliminary process we recommend to accomplish objective #2 above. The AFGTF does not recommend creating a SEPARATE process from the existing grievance procedures outline in Section 4.4.3 of the KSU Faculty Handbook, but rather adding a preliminary process, overseen by the CAF, specifically for Academic Freedom complaints. If this preliminary process does not satisfy the complainant, they would still have the option to move forward with the existing Grievance Process outlined in Section 4.4.3. We submit three proposals which would amend portions of the KSU Faculty Handbook and the University Handbook.

PROPOSAL #1-Add summary paragraph at end of Section 2.1 of the KSU Faculty Handbook:

The principles of Academic Freedom and Instructional Responsibilities highlighted above require diligent processes in order to create the conditions in which faculty are free to pursue knowledge as they deem appropriate, and to protect the integrity of the faculty/student relationship. The practice of Academic Freedom may include, but is not necessarily limited to, freedom from the following:

1. external and internal political pressure
2. undue interference in course content
3. retaliation or reprisal for expressing unpopular perspectives related to research, curriculum, pedagogy, and organizational procedures
4. undue interference in grading and assessment criteria

PROPOSAL #2-Insertation of a process to collect, report, and potentially resolve Academic Freedom complaints. To be added to the KSU Faculty Handbook as Section 4.4.4:

4.4.4. KSU Academic Freedom Complaints

I. The informal and formal grievance process laid out in Section 4.4.3 above may apply to any variety of conflicts. However, violations of Academic Freedom, a core principal of KSU and outlined in Section 2.1 of this handbook, require particular attention and expertise. This section outlines procedures that complement those in Section 4.4.3. and are intended to fulfill requirements of SACSCOC and explore complaints made specifically related to violations of Academic Freedom. When faculty believe their

Academic Freedom has been violated, the procedures outlined below govern the process prior to a formal grievance procedure outline in 4.4.3. III above.

II. Optional resolution at departmental or college level

A faculty member who believes their Academic Freedom as outlined in Section 2.1 of this document may have been violated, may choose to bring their complaint to the relevant department/college administrator(s) or colleague(s) to clarify policies, decision-making authority, and other issues related to the complaint. Please note this process is optional, especially if the faculty member believes that participating will jeopardize their position further. Faculty may choose to skip this step and move directly to 4.4.4.III below. If complaint is resolved at this level, complainant is encouraged to report the outcome to the CAF for SACSCOC purposes.

III. Preliminary Academic Freedom Complaint

In support of SACSCOC reporting requirements, and to facilitate the long-term protection of Academic Freedom principles at KSU, the Committee on Academic Freedom (CAF) will serve as the repository of Academic Freedom Complaints. Members of the CAF shall be intimately familiar with the principles of Academic Freedom outlined in Section 2.1 of this handbook and promulgated by the American Association of University Professors (AAUP), and ideally trained in the application of those principles. The CAF shall consist of six members, including five tenured faculty members, serving staggered five-year terms, plus one University Ombud serving as a non-voting ex-officio member of the CAF. The FSEC shall solicit nominations from Senators and non-Senators, and the Faculty Senate shall elect CAF members from among the nominees. The members of the CAF shall elect a chair from amongst themselves. Senators shall strive for disciplinary diversity on the CAF, and there shall be no more than two voting CAF members from any single college in the University. The CAF shall draft, and if necessary, amend its bylaws and the AFC filing form.

Faculty who believe their Academic Freedom may have been violated may follow the procedures below prior to filing a formal grievance as outlined above in Section 4.4.3.

1. Submit Academic Freedom Complaint (AFC) complaint (will be recorded for SACSCOC) using AFC form.
2. Complainant will meet with at least two members of CAF to discuss content of complaint and explore options.
3. CAF Chair determines whether complaint can be reasonably interpreted as a violation of Academic Freedom:
 - a. **If not**, complaint is recorded for the purposes of SACSCOC, but no further action is taken by CAF on this AFC. Complainant may elect to initiate formal grievance procedure as outlined in Section 4.4.3. above.
 - b. **If so**, AFC process continues as outlined below.
4. CAF reviews complaint by discussing with relevant parties. This information gathering step may not necessarily require involvement of or exposure of complainant identity. This review may include discussion with accused, relevant shared governance bodies disciplinary experts, Academic Freedom experts, other faculty members and administrative or staff members, if appropriate.

5. CAF recommends a remedy to both parties. Any agreement must be agreed to by both parties and signed off on by Provost.
6. If either party rejects CAF recommendation, complainant may initiate formal grievance procedures as outline in Section 4.4.3. above, with recommendation from CAF to be included as written evidence at all levels of review. Complainant may also elect to drop complaint.
7. Each fall, the CAF shall compile a report to be submitted to the FSEC, CDA, and the Provost/President. This report shall include all preliminary complaints reported to the CAF, proposed resolutions, and outcome.

PROPOSAL #3-Amending the University Handbook to Include CAF as standing committee

Add the following language to the University Handbook (Section 3.1.2) University Standing Committees

Committee on Academic Freedom, CAF (permanent) - assigned to Faculty Senate and advisory to the Provost/VPAA

Purpose: To investigate and report alleged violations of Academic Freedom on campus; to propose remedies to Academic Freedom violations or patterns.

Membership: Members of the CAF shall be intimately familiar with the principles of Academic Freedom outlined in Section 2.1 of this handbook and promulgated by the American Association of University Professors (AAUP), and ideally trained in the application of those principles. The FSEC shall solicit nominations from Senators and non-Senators.

1. Five tenured faculty members, elected by a vote of the Faculty Senate with no more than two from any single college
2. One University Ombud (non-voting, ex-officio)

Meetings: As needed; this body will meet at least once every academic year.

Term: 5 years (staggered)