



Faculty Senate Report to Board of Trustees

April 11, 2024

Dear Trustees,

As we begin the spring quarter, I am pleased to summarize the significant actions and conversations that have occurred at Faculty Senate since my last update in February. As always, I am happy to answer any questions you may have.

Academic Freedom and Free Expression Forum

On March 14, we welcomed Dr. Jennifer Ruth (Portland State University) and Dr. Thomas Merrill (American University) to the Faculty Senate sponsored forum on academic freedom and free expression. The idea for this forum came out of some discussions that arose in the fall quarter at Faculty Senate, prompted at the time by protests around Israel/Gaza. Our goal with this forum was to pull back from the specific proximate issue and broaden our scope to a discussion of academic freedom and free expression in higher education and at WWU. The speakers, both of whom are experts in this area, discussed the differences between academic freedom and free speech/free expression, and the role that faculty can play in promoting a culture that embraces these important concepts.

A recording of this event is available on the Faculty Senate website but let me briefly summarize a few key points from the forum.

- One of the reasons we structured the prompt as we did, with a focus on the differences between academic freedom and free expression, is because we have at times used those terms as if they are interchangeable. They are not, and Dr. Ruth made this point by noting that free speech prevents the state from restricting the speech of its citizens whereas academic freedom is specific to faculty rights in teaching, research and intra- / extra-mural speech (an interesting distinction given the NWCCU standard and significant Faculty Senate discussions about whether we can adopt an academic freedom standard for students). Academic freedom, in Dr. Ruth's view, is what brings into being a body of knowledge and interpretation that has not be directly controlled by politicians/ the state, or by commercial interests/the market. But academic freedom has at times had a somewhat blurry interpretation in the courts; sometimes, courts will say that academic



freedom is a special consideration of free speech, but Ruth argued that academic freedom does not have strong standing in the law. It is not very well protected in that sense and courts have sometimes contradicted one another on academic freedom issues.

- Dr. Ruth also discussed what has been framed as a return of the McCarthy-era infringements on academic freedom in several states whose legislatures or education officials have taken steps to ban teaching certain “divisive concepts.” In fact, she argued this is worse than what happened in the 1950s because it directly impacts curriculum and classroom instruction. For universities to be true to our mission – to be sources of “unmanipulated knowledge” - we must resist such efforts and vigorously defend academic freedom. I would add that we need continued support from the administration and the Board of Trustees to do this, and we need to be cognizant of ways in which less direct affronts to academic freedom can be unintentionally introduced.
- Dr. Merrill, who was the faculty co-chair of American University’s working group on free expression in 2021-22, spoke about new policies and a statement of values that was recently adopted on their campus. He described what that working group did, and the challenges they confronted. The AU Working Group was set up to clarify the purpose of protecting expression on campus and what kinds of expression are protected. In advice that may be valuable for us if we ever created a similar working group, he noted that their group was split 50/50 into faculty and staff representatives (mostly from campus life). Given that most expression controversies on campus happen outside the classroom (in dorms, student clubs, etc.), it is important to include staff who have greater insight into the out-of-classroom spaces.
- The AU statement of values was designed to change the narrative about how to think about free expression. Free expression is often framed as “I have a right to say whatever I want,” which may be true in the public square, but that is not our job on campus. Our goal at a university, including here at WWU, should be to build a scholarly community. Dr. Merrill pointed out that it is important to move toward an ethos of inquiry that helps students become self-critical learners. This cultural shift is about helping students understand that they may be wrong, and this means hearing from people they disagree with.

Of course, other important points were made during the forum, so I encourage you to watch the video if you are interested (there are other useful resources on our website, including the documents produced by the American University working group). While the Faculty Senate has not been involved in producing these kinds of events in the past, I hope that this is the first of a regular series of campus-wide conversations on issues that are of interest to the faculty.



Faculty Handbook Revisions

The ad hoc committee created at the start of the academic year has been making good progress. At our February 12 Faculty Senate meeting, I outlined the process for approvals of revised sections of the handbook, and we discussed the proposed changes to what was originally called the “handbook.” The process calls for a presentation of the main changes to each section followed by discussion and questions at one Senate meeting. We will proceed to a vote on the changes two weeks later at the next regular meeting. This provides members of the Senate time to read the revisions and discuss with their constituents before voting on them.

The ad hoc committee has proposed a restructured handbook that would have only a preface (currently the “handbook”) and three sections (currently separate appendices to the handbook). Other appendices that currently exist will be removed from the handbook because they refer to already existing policies that live elsewhere (for example, the current appendix 5 includes policies on misconduct in research that is covered by POL-U4520.02). The new organization will be as follows:

Preface: Based on Current Handbook

Section 1: Constitution & Bylaws of Faculty Senate & Senate Standing Committees

Section 2: Statement on Academic Freedom

Section 3: Code of Faculty Ethics

I am pleased to report that the Senate voted to approve the proposed changes to the “handbook” (to be called the “preface”) at our February 26 meeting. I anticipate that the Senate will vote on changes to the “constitution” (part of what is to be called Section 1) at the April 22 meeting.

For the remainder of the spring quarter, our approvals will focus on the bylaws of the Faculty Senate itself and the Senate’s standing committees (the remaining portions of the new Section 1). Time permitting, we will consider revisions to the Statement on Academic Freedom and the Code of Faculty Ethics (new Sections 2 and 3, respectively) before the end of the academic year. Should we not have time to approve those sections, the Senate will consider them early in Fall 2024.



Informational Updates

We have also had a couple of important informational updates.

On February 26, Jennifer Seltz, the chair of the Senate's Outreach and Continuing Education (OCE) committee, updated Senators on its recent work. Much of the OCE Committee's work has been focused on discussions of the College in the High School (CiHS) program. While the OCE generally supports the goal of increasing enrollment for underrepresented students, there are questions about how best to achieve that goal. There is some concern about the low enrollment in the CiHS pilot programs that are running in a few local high schools. The OCE Committee will be communicating with the CiHS steering committee and will continue to keep the Senate apprised of issues as they arise.

At our final winter quarter meeting on March 11, we got a budget update from Brad Johnson, Joyce Lopes, and Faye Gallant. The presentation was an updated version of the financial health presentation presented to the Board's FARM Committee in February. Our new budget representative framework calls for regular budget updates to the Faculty Senate, so we expect the budget representatives to help structure these conversations next year in a way that is most useful for members of the faculty.

Let me end this report by thanking you for the work you do on behalf of the university and for your attention to the issues that come before the Faculty Senate. I look forward to meeting with you once more at the June meeting before Dr. Michael Slouber takes over as president of the Senate for the 2024-25 academic year.

Sincerely,

Brandon Dupont
Faculty Senate President