

Report of the Ad Hoc Committee on Academic Freedom to the GFC

April 9, 2013

PROPOSAL

The Ad Hoc Committee on Academic Freedom has surveyed our own policy statements in this area, and has researched and considered other statements on academic freedom from other institutions, associations, and research sources as we explored the issue. While our own policy statement (Pol580), as repeated in the MRU Calendar, covers the broad concept, it does not speak directly to the application of academic freedom in instructional contexts. Without specific direction on academic freedom in teaching contexts, faculty are left to debate either side of contentious issues invoking academic freedom without guidance.

Therefore, the Ad Hoc Committee on Academic Freedom repeats Pol580 (Academic Freedom) below and proposes that the GFC consider the amendment of this policy to incorporate the included text in bold:

The common good of society depends upon the search for knowledge and its free exposition. Academic freedom in educational institutions is essential to both these purposes in the teaching function of the institution as well as in its scholarship and research. Academic staff shall not be hindered or impeded in any way by the institution or the faculty association from exercising their legal rights as citizens, nor shall they suffer any penalties because of the exercise of such legal rights. Academic members of the community are entitled, regardless of prescribed doctrine, to freedom in carrying out research and in publishing the results thereof, freedom of teaching and of discussion, freedom to criticize the University and the faculty association, and freedom from institutional censorship.

Academic freedom is commonly understood to protect the faculty member's right to research and disseminate the results of that research in public contexts, including the classroom. Academic freedom does not prevent curricular decisions from being made by academic units or disciplines.

Academic freedom does not require neutrality on the part of the individual. Rather, academic freedom makes commitment possible. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. In exercising the freedom to comment and criticize, academic staff members have a corresponding obligation to use academic freedom in a responsible manner. This implies a recognition of the rights of other members of the academic community, and a tolerance of differing points of view.

BACKGROUND and RESPONSE

The Ad Hoc Committee on Academic Freedom was struck by the GFC with the specific mandate of reporting on academic freedom as it relates to teaching at Mount Royal University. Prompted by questions submitted to GFC by Dr. Bruce Ravelli, the Committee did background research into the concept of academic freedom and the particular lack of specificity when the “freedom to teach” aspect of it was raised. Below we list Dr. Ravelli’s questions and our specific responses which have been the result both of our research and of our collective discussions.

1. Does the discipline/department have the authority to mandate that a specific textbook be adopted for a course? (does it matter if the course is multi-section, and, if so, why?)

The principles we wish to bring before the GFC in general are twofold:

- a. that academic freedom in instructional situations may be constrained by the collective responsibility of academic units and the university itself to ensure quality education in their courses and programmes (for example, to conform to accreditation drivers); and
- b. that curriculum decisions should be made collectively (which is not to demand unanimity) by the responsible academic unit.

We suggest that the course team/discipline/department has the authority to mandate that a specific textbook be adopted for a course if and when the decision is collectively discussed and decided upon. Considerations which might factor into the discussion and decision include the outcomes of the particular course (again, collectively agreed upon), the relative equity or inequity to students in various sections of a multi-section course if required materials are inconsistent, and the elimination of potential conflicts of interest (for example, an instructor who has written a textbook should recuse herself from the discussion and decision-making process in this regard on account of her inherent interest in having her text chosen as a required book across all courses).

The Committee acknowledges that introductory level courses are typically multi-section offerings, while more senior courses are usually offered in relatively few sections and are, ideally, taught by the expert(s) in the relative (sub)disciplinary area. The Committee suggests that instructor autonomy in these more senior level courses may be constrained only when programmatic outcomes indicate the necessity of such constraints; but that generally, academic freedom in course design and delivery should be respected by the responsible academic unit unless a collective discussion/decision is made to the contrary which is grounded in programmatic outcomes.

A comment on the collective decision –making responsibilities of academic units: the Committee discussed, and decided against, a minimal definition of the responsible academic unit as comprising at least the tenurable and tenured members of the unit. There was general recognition that contract faculty are not responsible for (and indeed are not compensated for work related to) curricular and

programmatic decision-making. Some academic units may wish to include contract faculty in these discussions; others may not. The Ad Hoc Committee on Academic Freedom wished to leave its recommendations as broadly struck as possible so as to maximize the decision-making power of the academic units themselves.

2. Does the discipline/department have the authority to define the assessment mechanism/methods for any course?

The Committee suggests that the discipline/department does have the authority to suggest assessment mechanisms used throughout the course, but the instructor's academic freedom in teaching contexts relates specifically to content delivery and ongoing assessment and therefore might trump the department/discipline's views of ongoing assessment. The guiding principle here is that the course outcomes, as collectively agreed, ought to be met by the course delivery and measurable by the course assessments. The instructor's academic freedom relates specifically to the means by which those outcomes are approached and measured, and the instructor should be able to demonstrate the alignment of her course assessments in relation to agreed course outcomes. The equitable treatment of students in different sections of the same course ought to be a consideration in this matter.

3. Does academic freedom protect a faculty member's decision to give her/his entire class As or Fs?

No and Yes.

The Ad Hoc Committee on Academic Freedom recognizes the professional responsibilities and academic rigour implied in fair, transparent, and equitable assessment practices. There is a standard of grading which exists at the institutional level (Pol.507) which articulates student performance both qualitatively (fail, minimal pass, satisfactory, above average, and excellent) and quantitatively (in both the 4-point and 100-point scales). This grading standard may be applied somewhat differently in different schools or disciplines: for example, the Committee can imagine a much more "objective" interpretation of the grading scale in purely multiple choice exams, or in disciplines which have clearly correct and incorrect responses. However, in disciplines where a greater degree of professional "subjectivity" is brought to bear in assessment decision-making (even in relation to the use of rubrics etc.), there may be more room for interpretation of the meanings of fail, pass, satisfactory, above average, and excellent. Regardless, instructors must be able to justify their assessments of student performance in ways which speak both to professionalism and rigour. Instructors cannot invoke academic freedom as a means of abrogating professional responsibilities relating to fair, transparent, equitable, and rigorous assessment practices.

Grading is used to assess students' performances, to differentiate between same, and to provide feedback to students for their use in future assignments and exam situations. It is entirely conceivable

that, in unusual circumstances, an instructor may have assessed all his/her students to have performed at the same level (whether poorly or excellently). In this situation, the instructor may be exercising their academic freedom in allocating that unusual grading distribution, but may be called upon to explain this unusual distribution of marks, and must be able to demonstrate this result in the terms of the stated course outcomes and the assessment mechanisms professionally and rigorously used to measure same. At a minimum then, the instructor should be able to speak to how and why the students were all assessed at the same level; to why their relative performances cannot be reasonably differentiated; and to how each student will have received feedback which should assist them in future work. In short, academic freedom here rests alongside and must be exercised responsibly in relation to both professionalism and academic rigour; it does not trump the latter two requirements.

4. Does academic freedom protect how a faculty member teaches the content as well as what content they choose to teach?

Yes.

Academic freedom in instructional contexts means that, while remaining focused on the agreed curricular decisions and course outcomes (as referred to in question 1 above), instructors have the freedom to deliver content as they deem most appropriate, once again respecting professional behaviour and academic rigour.

5. Does academic freedom give a faculty member the ability to choose whether or not they should have a final exam – even in a multi-section course?

In general, the Committee suggests that this sort of curricular decision should be made collectively by the responsible academic unit (course team/discipline/department). In multi-section courses, as mentioned above, academic freedom might be constrained by other considerations, most notably in this case, fairness to students in terms of assessing their relative performance in relation to course outcomes (which must be consistent across all sections of the course). In any event, the abandonment of a final exam must be agreed by the Dean on the request of an instructor; presumably the Dean will be aware of multi-section courses in their school and consult with the appropriate academic unit to establish whether or not there is an agreed-upon policy in this regard at the appropriate level of the academic unit (course team/discipline/department).

6. What student rights are there that could/should influence our definition of academic freedom at MRU?

Students' rights to fair treatment, equity, and quality education must be considered in relation to the responsible exercise of academic freedom in instructional contexts. At MRU, students are protected

from their discriminatory or unfair treatment by instructors through grade appeal processes (Pol508) and human rights/personal harassment policies (Pols 1702 and 1704 respectively).

One area which has not been extensively explored to date at MRU is the student's right to intellectual property, especially under the increasingly common circumstances of research collaboration with faculty members. The Committee suggests that this is one area in which MRU might develop policy to protect the students' rights to their intellectual property.

RESEARCH

The research undertaken and notes made by various members of the Ad Hoc Committee on Academic Freedom are available on its blackboard site. For access, please contact Miriam Carey in the ADC (mcarey@mtroyal.ca; phone 440-7038).

CONCLUSIONS and CONSIDERATIONS

The Ad Hoc Committee on Academic Freedom adhered strictly to the mandate given to it by GFC and, as a result, tables this report to the GFC for its consideration. The Committee proposes that the GFC consider revising Pol580 in line with our suggested paragraph, and for the reasons discussed in this brief report. However, the Committee recognizes the right of GFC to reject this proposal and pursue an alternative course of action on this issue.

Our approach was to undertake background research, discuss the issues before us and reach a consensus, draft and consider two main revision proposals for Pol580, select the one proposal before you in this report, and produce some information which elucidates our thinking on the subject. We trust this report satisfies our mandate and provides the GFC with some considered information with which to proceed.

Additional topics for future consideration:

- there is currently no process in place to support the exercise of academic freedom or to discourage/punish its denial
- there is no arbitrating body which can settle disputes which may arise in relation to particular members in academic units in relation to academic freedom
- there is no policy articulating students' rights to intellectual property in undergraduate research projects

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