

Presidents' Discussion Series: Academic Freedom
Discussion of ad hoc GFC Committee's Report on Academic Freedom as it Applies to Teaching
October 10, 2013

The MRFA position is that the concept of academic freedom should be entrenched in the Collective Agreement. This position is not in any way incompatible with the committee's report which suggested that the University policy be more specific and that it acknowledge academic units' responsibility for the academic rigour and the quality of our programs. If the unit chooses to make collective decisions then it is incumbent on the faculty members in the department to fall in line or to talk reasonably about why such decisions should be reconsidered. The committee's report is not prescriptive nor does it address every nuance involved in considerations of Academic freedom. The principle is that we reasonably consider the decisions being made. No matter what happens we have no way of guiding areas through conflicts that arise in this regard: it is up to individual departments.

It is important to recognize the following considerations when discussing academic freedom as it applies to teaching:

- There is curriculum on one side and pedagogy on the other. Academic freedom is related to pedagogy and textbook selection is more related to curriculum.
- Students have the right to expect a comparable experience of some sort: it does not mean that a text needs to be the same it needs to be comparable. Students do have a right to comparable assessment and treatment and this right needs to be protected. While not every experience can be the exact same for students, we need to ensure that there are no disadvantages.
- Departments should have curriculum committees and there should be broad agreement about the intersection between courses throughout programs.
- The academic unit is first comprised of people who each individually have academic freedom. Faculty members' academic freedom is not constrained by allowing academic unit, of which they are a part, to determine whether or not the use of a common textbook be required for certain classes.

Notes:

Gerry Cross, MRFA President

Welcome to the first session in this series. We started this off last year with two sessions on academic freedom. One was regarding AUCC's statement on Academic Freedom in comparison to CAUT's model clause. The other discussion was a panel on the use and/or requirement of common textbooks.

David Docherty, MRU President

Thank you for coming. We have also discussed development, access copyright and other topics: it is good to discuss these things. Discussions of such topics provide the opportunity to, with people from across the University, consider things in regard to which administrative and faculty perspectives are not necessarily at odds. Given the fact that Miriam and her team's report is coming to GFC we thought this was a good way to start the series and keep the momentum going.

Miriam Carey, Faculty Development Consultant and member of GFC's ad hoc committee

Thank you for the opportunity to talk about this. It is an important and topical issue.

Background

The committee was struck to respond to a list of questions was sent to GFC by Bruce Ravelli in November 2012. The majority of the committee members were faculty: each Faculty elected a member of the committee. So, there were eight faculty, the VP Academic of SAMRU, and the acting Provost. The committee was to report to GFC by May and the committee was not struck till February. They met every other week till they submitted their report at the end of April. It has just gotten on the agenda for the last GFC Meeting.

The committee's process was based on its mandate to respond to Bruce's formal questions. The members of the committee chose to look at what was entailed in the idea of "freedom to teach" and also took into consideration Policy 580 since that is the main expression of academic freedom on campus (i.e. it is not in the Collective Agreement). The problem with the policy statement is that there is no specificity of what freedom to teach means. The committee did research on academic freedom and what it means in the Canadian context. They developed guidelines that resulted in a suggestion for changing policy 580 which has been submitted to the APPC. Responses to Bruce's questions are in the committee's report.

To contextualize the idea of academic freedom and freedom to teach, it is important to consider the requirements of programs and students. There are departments with numerous sections of the same course, and there is incentive to maintain similarity amongst these courses. This is not the case in higher level courses: it is a concern primarily in introductory courses.

APPC is responsible for implementing any changes to the policy. In submitting its report to APPC/GFC the committee completed its mandate: the work of the committee is now done.

Some of the points emerged which are not in the report:

- There is a big spectrum of opinion on what academic freedom means in different contexts. There are whole different ideas on what it means in teaching. Some faculty believe that instructors should be able to teach whatever and however they want. On the other hand there are professional accreditation drivers that do restrict such 'freedom to teach.' The committee met in the middle and crafted a suggestion that took into account the responsible academic units, the requirements of disciplines as well as the considerations of faculty pedagogy.
- Other aspects of academic freedom: institutions like MRU should have institutional academic freedom (to be free of government drivers). We should be independent as an institution in terms of the programming, research and services we engage in.
- Historically, academic freedom has been discussed primarily in terms of research and dissemination. The threat is that research could be shut down if colleagues do not like or agree with it.
 - MRU has integrity in this historically.
 - We still support faculty members' rights to do and disseminate that research.
- Michiel Horn's Book, *Historical Survey of Academic Freedom in Canada*, has a useful survey of what has happened here. The 'freedom to teach' phraseology became more popular in response to the student movement in the 1960's wherein students insisted they had a right to learn what they wanted to and not something that replicated the political paradigm of the day. Faculty Associations, which unionized at this time, responded to this initiative by arguing that faculty have the freedom to teach.
- The contemporary view of curriculum design is to consider what students need as they leave the program and work backwards to determine how they get that. What outcomes are needed in different courses, how to assess them and how to ensure that these are carried forward. This is

much different than it was historically. There are also outside accreditation drivers that we need to be cognizant of and we need to meet those outcomes.

Current debate

The MRFA position is that the concept of academic freedom should be entrenched in the Collective Agreement. This position is not in any way incompatible with the committee's report. We suggest that the policy we use in the university could be more specific and could acknowledge that academic units are responsible for academic rigour and the quality of our programs. If the unit chooses to make collective decisions then it is incumbent on the rest of the faculty in the department to fall in line or to talk reasonably about why such decisions should be revised. The committee's report is not prescriptive. The principle is that we reasonably consider the decisions being made. No matter what happens we have no way of guiding areas through conflicts that arise in this regard. It is up to individual departments.

Faculty are members of a larger community and are subject to MRU policies as determined by the arbitration at the end of 2011.

Committee Report

When the report was first circulated and submitted to GFC in April the councillors were invited to access the blackboard repository site. The committee mandate was not to consult faculty but GFC members but they had the opportunity, by accessing the blackboard site, to review the sources used in developing the report. Faculty members can email Miriam Carey to be added to the site.

Questions to consider in light of MRFA interest of having academic freedom in the CA

Discussion:

Q: Why would this not be put in the collective agreement? We are going to change a policy but there needs to be protection as well. How can a policy come through the back door that has teeth to it? And there are other problems as well:

- There is a hierarchy of academic freedom in the report based on the difference made between introductory and senior level courses.
- There are assumptions here of teaching to exams. How does a common exam ensure that things are equitable?
- It implies that students are passive: if students have the same texts, assignments and tests.
- Policies end up being another form of discipline from the admin. Can we not just have it in the collective agreement and then we can worry about the policy after that?

A: The committee is not proscribing anything other than that discussions need to be had within academic units. The committee approached it from the policy perspective because that is what they had to look at MRU.

- There is no 'teeth' to the policy.
 - o Faculty have to adhere to policies of the university
 - o The committee only made a suggestion to change the policy.

Q: Why will the board not give us an academic freedom article in the Collective Agreement?

A: The Collective Agreement is an agreement between two groups and not all items can be resolved.

- The board has not discussed the next round of bargaining.
- It is surprising that it is not in the collective agreement
- This is a related concern. It can't be in policy without being in the Collective Agreement:

faculty have no way to grieve it.

Q: There should be a vote on this by all faculty not just APPC. This will affect all faculty members.

A: David considers the report to reflect what should happen at the department level. Outcomes and contexts needs to be taken into account. Faculty members need to consider what they want students to know as they move into higher level courses.

- You cannot choose which polices can go to all faculty members to vote on or which should go through the usual processes.

Q: if you are going to tinker with an academic freedom statement it needs to be done carefully and deliberately. To what extent has academic freedom been asserted as a real serious problem that is dividing faculty and creating problems for the delivery of programs?

A: The committee does not have the answer on this. We know it has been debated in a specific department. A lot of units do have a comfortable process that they use in this regard, and, overall, this does not seem to be a real problem area. The committee was trying to be responsive to the mandate it was given so it made a suggestion to revise the policy.

- David has not heard a lot of issues around this: it is a concern in some areas. We struck a task force and asked for recommendations because it was a written question that sparked a lot of debate at GFC. We decided we wanted it to be a forum for debate and we did not want to lose the opportunity to move forward and look into it further. This was recognizing faculty members' concern and interest in this.
- The committee's goal was to give some guidance and it is helpful to have an arbitrating body attached to the policy
- It is becoming an issue as we have more faculty join and it is feeling like a different environment and it is helpful to consider these matters. The policy is not clear so it is useful to have the discussion and the report from the committee. Whether we do or do not need something: this has been helpful and faculty will be better equipped to have these discussions.

Q: have there been student complaints, appeals or grievances because they did not get the same level of education?

A: We do not know. The common grading system was a student initiative; so, we know they do care about having equitable treatment.

- Perhaps we are overreacting to something that is not a problem.
- If you achieve the course outcomes how you achieve them is not relevant.

Q: Common textbooks do not make things equitable. Common outcomes do. How you get to the outcomes should left up to the instructor.

A: The place we need to be is in the middle of the spectrum of opinions on academic freedom. No department is entirely homogeneous in its courses etc.

Q: Has the conversation changed since the introduction of degrees? Was it easier to not worry about it when there were only 2 year programs?

A: Not that we know of. More likely it is affected by the economic situation. Budget crunches reduce sessional offerings and more full time faculty are teaching introductory courses and they may feel strongly about how they teach them.

Q: Regarding textbooks for multi-section courses, the wording in the report seems to discriminate or disadvantage members who write textbooks from having a voice and choosing a text for a

course. Faculty are highly invested in their work on a textbook which may have been written specifically for a course. Preventing these faculty members from having a voice in these decisions may prevent them from writing textbooks. This is counterproductive since we want to encourage faculty to write texts.

A: This was decided in order to respond to the inherent conflict of interest involved. As an author you have an interest in having your textbook chosen. As author it is wise to preclude yourself from talking about the textbook: this is a legalistic point of view.

Q: Regarding the comment that this issue may have arisen or become more prominent because more full time faculty are teaching first year courses where they may feel they should not be. If you think you are a good teacher you can test yourself by teaching first year courses

Q: In CSIS it is useful to use a common text to use half and half of it in each of the first two courses when they are closely connected and you cannot cover all the material in one course. It would not be in students' best interests to not have this common text.

A: Yes, this may be the case in many places, and the decision to use a common text should be made collectively within the academic unit.

- Even with Common texts faculty members still have the 'freedom to teach.' They have other resources they refer to and go to outside of the common textbook. And, they can go through the text in different ways than the information is presented.

Q: Presumably the issue also pertains to courses offered semester to semester not just among all students in the same semester of offerings. If you have six instructors over six offerings would you make them use a common text book?

A: The academic unit is responsible for making these decisions.

- Teachers who are really progressive review what they are doing in an annual basis. There are a lot of dynamics involved in these decisions.
- The committee is not prescribing the same text for multi section courses: the recommendation is to have the conversations and come to consensus
 - The policy recommendation does not seem to reflect this. It is a negative statement in an academic freedom statement.
 - It was framed in the negative purposefully so that it could be as broad as possible.

Q: Did the committee consult with faculty in this process?

A: The membership of the committee consulted informally but there was nothing structured in this regard. The committee had a lot to consider and research and could not take every affected policy into consideration.

Q: The issue that did arise in consultation was that we do not have any policy regarding students rights to intellectual property. Students right now are disadvantaged regarding faculty research agendas.

A: Members of the committee agree with this being a concern; however, this is not an academic freedom issue but it is an important issue

- Students' Intellectual Property is mentioned in the research policies: there is reference to doing the right thing regarding student and faculty research

Q: the first of the two statements in the proposed addition protects the right of faculty to research and

disseminate including in the classroom. In the classroom was added. Why was this included?

A: Research necessarily informs faculty members in the classroom

We strike committees and people volunteer their time with goodwill: we can disagree with the conclusions but we need to start from the position of goodwill. We should respect the effort that has gone into something because otherwise why would anyone do it? If APPC has consultation and wants to better articulate it then they can do that. The committee tried to articulate guidelines and that there should be a discussion and decision making process. The committee did its best in developing this document.

Q: what happens with it now that it is at APPC?

A: When this came forward the goal was to keep the discussion going and the report has done that. The report was meant to set up guidelines and they were consensually discussed and decided on by the committee which had faculty interests represented from across the school.

Q: Does academic freedom affect the content and what content a member chooses to teach? The answer of yes to this question seems inconsistent with not being able to choose your own textbook.

A: The committee had to respond to the questions and this is a separate consideration. It is related to students' rights being balanced with the autonomy of the instructor. The report does not state how a specialist should teach in their specialization. There is no generalization in the committee's report: there are courses where the instructor has complete autonomy and there are courses where it may be limited by the decisions of the department.

- Faculty have the responsibility to deliver content in the way that is most appropriate

Q: In the committee's research on academic freedom, was there a definition of academic freedom being determined by a group of people? (i.e. the academic unit having academic freedom conferred on it).

A: There is, under some collective agreements, reference to academic units but primarily it referred to in terms of teaching or research.

- The unit is first comprised of people who each individually have academic freedom.
- the academic unit is the responsible body in maintaining academic rigour and it may sometimes constrains the individual's academic freedom.

Q: There is an issue we are dancing around: there is curriculum on one side and pedagogy on the other side. Academic freedom is in pedagogy and textbooks are more related to curriculum. Students have the right to expect a comparable experience of some sort: it does not mean that a text needs to be the same it needs to be comparable. Students do have a right to comparable assessment and treatment and this right needs to be protected.

A: this is a good way of thinking about it in terms of how curriculum and pedagogy overlap.

- The challenge here is deciding what is comparable or not since it is so subjective. How do you resolve this kind of situation when people cannot agree?
- not every experience can be the exact same for students - we need to be careful to ensure that there are no disadvantages. Students would not know if they are disadvantaged so it is our responsibility to ensure that they are all prepared.
- Departments should have curriculum committees and there should be broad agreement about the intersection between courses and subsequent courses.

Thank you everybody for this conversation and for the work of the committee

