

Haverford College Faculty Meeting Minutes

April 19, 2018

Deborah Roberts, Clerk

Moment of silence.

Action I. Approval of the minutes of March 22, 2018.

II. Reports. Items for Action, and Items for Discussion

1. Kim Benston, Honor Code Discussion (att. doc.: proposed Code)

We are discussing the proposed new Honor Code. The following is a summary of what I think occurred at the special open meeting of the faculty on Tuesday.

There are essentially three groups of faculty views:

1) unease about the language of the academic part of the Honor Code about conduct in the classroom, with the absence of ideas about “academic freedom” (for both faculty *and* students) and with discussion of syllabi and “protective language,” with a slippery slope of student inquiry (“surveillance”) of faculty choices of difficult texts, and with fear of closing down conversation;

2) procedural concerns about confrontation, the roster of third parties, the dangers of untrained third parties in confrontation, which possibly include legal risks for both individuals and the institution, instead of proper Title IX methods of a “trained” approach; and concerns about obstruction by the new Code to the process of hiring new faculty

3) voices of an affirmative general tone, empathy for the expression of student voices on real existing problems in the classroom culture (although recognizing that a Code is perhaps not the best way of approaching these questions.)

On the latter point, there *will be* a Task Force next year to address classroom climate on issues of inclusion and diversity; we will develop new strategies and processes to continuously enhance classrooms as vital arenas for courageous learning in which all participants can thrive with equal expressive and intellectual opportunity.

On the issue of the recently student-ratified Code: I have continually asked the students for time to revisit some of these issues instead of proceeding in a way that leads to an impasse, and to look at the *language* they have used instead of just focusing on defending their *intent*.

COMMENT: I appreciate the conversation last Tuesday, and your concerns. But I want to stress that the students are serious in wanting us to hear the situation: some students feel that they are not welcome here. We need to listen to our students. A more diverse Haverford means a change of Haverford: they want us to address the fact of “whiteness.” (LATER ADDENDUM: I am not saying that we should ratify the new Code as it stands.)

COMMENT: The new Code violates the real procedural world in which we now live, a world governed by Title IX. The language of the new Code opens up a possibility of Kafkaesque horror, of puritanical “legislation” which produces the opposite result of what the students want to happen.

QUESTION: As for legal problems, have you consulted College counsel? **REPLY:** Yes, and there is yet no answer from them.

QUESTION: Did you raise with students the “academic freedom” issue? Of its older traditional meaning (before it was high-jacked by the alt-Right?) **REPLY:** Yes, I did; they are beginning to get the point. The AAUP statement does, also, give some attention to the point just raised about students feeling “unwelcome.”

COMMENT: My students certainly feel that they are not heard over intersectionality issues, chosen pronouns; they feel that the faculty who can speak for them have no power in the community.

COMMENT: I hear that too. But I do not think that this Code protects them in any way or allows them to have that voice. There is no language about what happens if “resolution” does not take place; it makes students more precariously placed. There is no procedure. This is what we have to discuss: procedure. We need to figure it out, and the language of the Code does not do this.

COMMENT: More serious is the gap between the Code and Title IX. We need to understand what happens when confrontation does not work. The Code promises openness, but Title IX guarantees no openness.

QUESTION: Do the students know what Title IX is all about? **REPLY:** I thought that the Student Committee does, but do all the students? I don’t know.

At this point, the Student Committee entered the faculty meeting room.

STUDENTS: We decided that we will be working toward revising the language of the Code. We urge you to respond to the email asking for your individual views. We will then produce a revised version, and then hold a digital Plenary Forum.

QUESTION: Why this haste with such a complex issue, and at the end of this semester; why did you not begin earlier in the year? **REPLY:** The Code was rejected in mid-February; by our Constitution, we had six weeks to produce a response and a new Plenary.

COMMENT: We appreciate how slowly committees can work. We know that a lot of student thought went into this. We hear and share your concerns, but we don't think the new Code addresses them. Can we have a smaller group conversation with you over the next weeks, as partners? **RELATED COMMENT (PROVOST):** I like that suggestion; I am concerned about the haste of the process; the classroom is the very center of our profession. Why not wait until the new semester begins and start again, fresh, with due consideration?

STUDENT; We have a deadline of May 7; the President has to sign it by then, or not. **PROVOST:** Can't we revert to the old Code for the nonce? **STUDENT:** No, the old Code is over. The President has to accept or reject the new Code.

COMMENT: The old Code was *your Code, a student Code*. The new Code is no longer just yours, we are now implicated in it; we cannot just step back and let you alone own it.

COMMENT: I now see that your Constitutional rules say that we can't just revert to the old Code; but many of my students do not understand that, that it is not the faculty voice but the student rules which mandate that we cannot go back to the old Code temporarily until a new Code is fixed. So please explain the real situation to your student constituency. **REPLY (STUDENT):** We will do that in our email to them tonight.

COMMENT: All the faculty is in sympathy with what is going on and your goals; but we fear unintended consequences. The new Code sounds like a Speech Code. "Cultural sensitivity" can be many things; the language is not helpful. We faculty are governed by Title IX and can't make this new Code work with it. There is no mention of "academic freedom" (for faculty and students) in this new Code, which is vital to us, We are very aware of the potential dangers and trouble.

STUDENT: The Code is only meant to start conversations about language in the classroom; students need to feel able to raise questions. **ANOTHER STUDENT:** We upper-class students have all had Title IX training; we are trying for a Code but also for a statement of values. (We just want you to be able to understand what hurts.)

COMMENT: I like that the new Code has the idea of an "extended classroom" and sees us all as learning dynamically. However, once the word "**discrimination**" is pronounced, it begins to open the Title IX machine and "learning" dissolves. "Word-

smithing” can’t help this. The classroom you are imagining is not the total field; the Title IX legal field is another field.

COMMENT (A SENIOR EMERITUS VOICE): LET’S SET A LITTLE CONTEXT HERE. THE FIRST HONOR CODE WAS GRANTED TO STUDENTS c. 1900 IN ISAAC SHARPLESS’S TIME, AND IT RECOGNIZED STUDENT RIGHTS AND RESPONSIBILITIES; THE FACULTY PUT TRUST IN THE STUDENTS, IT IS A STUDENT CODE. BUT IT ALSO INFLUENCES, BINDS, OUR FACULTY BEHAVIOR IN THE CLASSROOM. *Hence we must have a concern with loose language.*

ABOUT 35 YEARS AGO, THE ENTIRE STUDENT BODY CONVENED TO ADDRESS AN AILING HONOR CODE. EVENTUALLY, THE PRESIDENT REGAVE THE CODE BACK TO THE STUDENTS. WE CAN DO THAT AGAIN NOW.

COMMENT (PROVOST): It is about shared governance. You own the Code because we entrusted it to you. But we are bound by features of the Code too; hence, it is also ours.

COMMENT: The Faculty Handbook states that the faculty agrees to accept the Code when we are hired. And we also must operate under Title IX. And we also hold most dear to everything we do as scholars and teachers the principle of Academic Freedom. There is a conflict here. So language is very important, and we need time to work on it.

At this point, the student representatives left.

2. Research Policy Committee: Ken Koltun-Fromm. (att. doc.)

In working on a text, we coalesced around the #3 Design clause from last month’s proposal to the faculty, and tried to also lean toward some of the other versions. The 1. and 2. offered here today is something like last month’s version of #3.

Then, “ a formal review will be initiated IF...”

The language should imply “this should be taken into account” (rather than a veto.)

QUESTION: You list three issues in making the judgment of conflict with our policy: (1) the goals of the granting agency, (2) the stated objectives and terms of the funding, and (3) the specific aims of the proposed research. Did you mean that there will be a “No-decision” in the case of finding conflict with *all three*, or just with *any one of them*?

REPLY: We really did not discuss this. We don’t want to tie their hands on this in advance.

COMMENT: In our scientific research, we often *do* slice data-sets; if *some* parts of the data can be published and other parts not, will this lead to a “No-decision?” We need clarity on this.

COMMENT: The “Associate Professor for Research” is a recent accretion to the Provost’s Office and may not exist in the future; it should just state “The Provost’s Office.”

COMMENT: I would suggest a re-writing of the first sentences as: “Faculty members employed at Haverford College warrant a high level of trust, respect, and good faith in the pursuit of knowledge. Nevertheless, because Haverford values social justice, ethical leadership, and personal integrity, the College places the following constraints on the acceptance of funds for faculty research.

COMMENT: It appears that the formal review does not include in it the person applying for the grant. **REPLY:** Yes, this is deliberate.

The Clerk suggested a straw-poll (45 votes)

I like the proposal: 24
 I like it, with minor changes: 17
 I don’t like it: 3
 It is too soon to say: 1

PLEASE SEND YOUR SUGGESTIONS FOR MINOR CHANGES TO THE COMMITTEE.

III. Open Question Period.

1. In terms of examining campus climate, what is the “Clearness Committee?”

REPLY: It meets every four years, and consists of faculty, staff, and students. It will indeed meet next year. It is not the same thing as The Task Force (on the classroom climate), but they do overlap in concern, and there will be synergy.

2. If the Honor Code has now ceased in practice, what happens? **REPLY:** Stay tuned. (In the event, it has now been temporarily re-instated.)

3. I urge you to respond to the students’ request for communication from us on the Code; this is an urgent situation; let’s not let them down.

4. What happened to the older suggestion that we have a College Ombudsman? What “space” is there for us to address all these concerns?

REPLY: We should make more visible the institutions we have already in

place, and which are not used enough; we don't want hasty new creations. This new Task Force is indeed *urgent* as well as *deliberate*.

IV. Report of the President:

I want to express my admiration for the students who visited us today, whose openness to our concerns is a brave and hopefully generative undertaking. I hope that in tribute to their dedicated work you will take up their invitation to contribute thought and, if you wish, possible new language that can guide a revisionary process for a new Code such that we can arrive at its acceptability to all parties.

In the light also of the foregoing discussion of research ethics, I want to say that I am very proud to be part of this institution as it works on many levels to sharpen the justness of its mission as a learning institution.

V. Report of the Provost (att. doc.)

We already have opportunities to engage with the classroom-climate issue in the TLI (Teaching and Learning Initiative.) We have opened up two new slots for post-reappointment and post-tenure faculty to take advantage of this opportunity, including working closely with students on improving classroom pedagogy..

I am concerned these days about our hiring practices. We need more work on the search process in recruiting diverse faculty members, partly on coordinating better with the Affirmative Action Officer. I will work on this in the coming summer.

I also have a concern regarding faculty housing; very little is available for incoming faculty. How can we make faculty housing more fair, and inter-generational? The system costs us a net loss of about \$200,000 a year. A help would be to improve our mortgage policy.

Our Commencement graduation prizes are very unevenly distributed across departments/majors. Look at the suggestion that departments who do not offer a prize to graduating seniors now consider offering a prize.

Adjourned at 6:02 p.m.

Linda Gerstein, Secretary to the Faculty