

✓  
Notice of Meeting

FACULTY COUNCIL

Tuesday, 20 April 1965

3:30 p.m.

Ballantine 8

AGENDA

1. Approval of minutes of 6 April 1965.
2. Memorial Resolution for Professor Emeritus Albert L. Kohlmeier.
3. Report on implementation of the Report on the Status of Lecturers.
4. Report of Committee on Academic Freedom.

Agenda Committee:

Leo Fay  
Charles Vitaliano  
Mary Gaither, Chairman

*Steffen notified  
Pres. won't be there*

CONFIDENTIAL

Minutes of the Faculty Council

20 April 1965

---

These minutes have been approved by the Faculty Council

---

Members absent, no alternate: Dean Wilfred C. Bain  
Dean Smith Higgins  
Dean Glenn Irwin  
Dr. George Lukemeyer  
Professor Delbert Miller

Alternates present: Dean Ray Heffner for President Stahr  
Dean Lynne Merritt for Dean Heffner, Acting  
Dean of the Graduate School  
Dean Joseph Hartley for Dean Heffner, Dean  
of Faculties  
Dean John Endwright for Dean Daniels  
Dean Joseph Sutton for Dean Gucker  
Dean Ralph McDonald for Dean Hine  
Professor Lee Stoner for Dean Shane  
Dean John Porter for Dean Pinnell  
Professor Philip Headings for Professor Bowman  
Professor Malcolm L. Morris for Professor  
Greenleaf  
Professor Eugene Levitt for Professor Gurd  
Professor Stanley Rafalko for Professor Robinson

Visitor present: Professor W. Howard Mann

---

AGENDA

1. Approval of the minutes of 6 April 1965.
2. Memorial Resolution for Professor Emeritus Albert L. Kohlmeier.
3. Report on implementation of the Report on the Status of Lecturers.
4. Report of Ad Hoc Committee on Academic Freedom.

---

1. In the absence of President Stahr, Dean Heffner presided and called the Council to order at 3:36 p.m. The draft minutes of the 6 April meeting were approved for distribution to the faculty on a motion by Professor Jung, seconded by Professor Pratt.

In response to a request from Professor Remak, who stated that the first paragraph of the discussion on page 3 of the minutes on the manner of conducting elections this spring was not clear, Professor Lundin, Chairman of the Elections Committee, pointed out that no plan had been discussed at that meeting. He would like the

opportunity now to get authorization from the Council for a method of proceeding. He and the members of his committee, Professors Auer and Jung, in view of the recommended amendments to increase representation on the Council not yet being ratified, request authorization for a notation on the ballot asking faculty members to nominate the total new number with the express understanding that if the proposed amendments are not approved, only the old number as it now stands will be elected. The notation would include also a statement of how the staggered terms would be determined for the new members. He was unsure of the legality of conducting a subsidiary election simultaneously with the regular election.

Professor Carter, Parliamentarian, presumed that we can so conduct the elections for we would be following the spirit of the constitution, if not the letter. Since Dean Heffner felt a motion would serve the purpose better than acceptance by consent, Professor Carter moved and Professor Vitaliano seconded that the Council accept Professor Lundin's recommendation for conducting the current elections and thus authorize the holding of a subsidiary election and the adjustment of staggered terms for the new members. The motion carried unanimously. Professor Lundin asked the Faculty's forgiveness in the unavoidable delay in getting out the nominations and elections ballot.

## 2. Memorial Resolution.

Professor Lundin was asked to read a memorial resolution for Professor Emeritus Albert L. Kohlmeier after which the Council stood for a moment in silence to the memory of a departed colleague.

## 3. Implementation of Report on the Status of Lecturers.

Dean Heffner reminded the Council of Professor Taulman Miller's presentation of the report of the Committee on the Status of Lecturers (see Fac. Doc. No. 8, 1964-65) which had been presented at the meetings of 1 and 15 December 1964 and 5 January 1965. He summarized the Council's actions on and the present status of the committee's recommendations:

- a. The Council's unanimous rejection of a recommendation to assign the rank of instructor to all full-time lecturers and to amend tenure and promotions policy so that service in rank of instructor would not count toward tenure, and promotion to assistant professor rank would be virtually automatic upon completion of the terminal degree.
- b. Any constitutional amendment to grant faculty voting privileges to lecturers would be postponed until completion of the University self-survey.
- c. The practice of sending Council minutes to lecturers would be continued.
- d. The Council voted unanimously to make no changes in the present tenure policy to allow some time spent in service as lecturer to count toward tenure.

- e. Lecturers with less than two years' service would be given notice of termination of appointment 1 March of the expiration year. Lecturers with over two years' would be notified by 15 December of the terminal year.
- f. The recommendation to include lecturers in the TIAA plan was referred to the Retirement and Insurance Committee. Its decision is in abeyance because of the absence from the country of Vice-President and Treasurer Franklin. There is, however, a general agreement in principle, but final decision may be postponed in view of the imminence of a general review of policies concerning TIAA eligibility for members of the academic and administrative staffs.
- g. The Council voted to extend all-campus parking permits to lecturers.
- h. It voted to include the title of lecturer in faculty designation on the Library home-use card.
- i. It voted to allow travel expenses to professional meetings for lecturers. University policy does not deny this allowance, but it is at the option of the individual college, school, or division.

Dean Heffner turned to the proposal submitted at the same time by Professor Fraser Hart for the AAUP to use the title "acting" assistant professor instead of lecturer for those working toward regular academic rank but without the terminal degree, and the title of lecturer for casual appointments and for those who do not fit into the academic structure. Professor Hart's statement also included a proposal that part of the time spent in the "acting" rank be counted toward tenure. Dean Heffner had been instructed to consult with the various deans on the use of the "acting" title and to report back to the Council.

Most of the deans do not feel that the "acting" title is a good step to take, Dean Heffner reported. Some find it acceptable although not desirable; others are strongly opposed. There is no clear unanimous voice, but there is a lack of any great desire to move toward this differentiation in designation. And some deans, although as members of the Council voted with the Council not to consider the rank of instructor for this category, feel now that this is the better way to handle the situation--in fact some use instructor for those who do not yet have the terminal degree, recommending these individuals for promotion to the rank of assistant professor upon the completion of the degree.

In view of this lack of unanimity, Dean Heffner continued, and in the face of the specific actions of the Council that have removed most of the distinctions in privilege and status for lecturers (other than the voting privilege), he would make the general recommendation that we leave the title of lecturer available to the maximum amount of flexibility and that we point out to the deans again

that the title of instructor is available if they want to use it. There is no University policy prohibiting its use for those without the terminal degree. Therefore each school would have the same flexibility that it does now to use either lecturer or instructor.

Discussion. Professor Hagen opened the discussion by pointing out that service spent at the rank of instructor counted as time toward tenure. This being the case, might not the optional use of lecturer and instructor for two people, respectively, both without the terminal degree create the situation of one earning time toward tenure and not the other? Dean Sutton stated that this would not happen in the College because it is the policy of Arts and Sciences not to appoint anyone to a position to earn tenure unless he has the terminal degree. But Dean Heffner recalled that in some cases in the College the terminal degree has not been considered necessary for tenure; for example there are some Distinguished Service Professors without the Ph.D.

Professor Carter said he did not foresee any long range difficulty in the situation suggested by Professor Hagen. This degree of differentiation can be lived with and undoubtedly is in effect now, but he did not feel it was particularly significant for the long run. Dean Sutton was then reminded that time toward tenure has been granted without the degree in some special cases to senior men in the lecture rank whose status had been clarified at some point and then a certain amount of that time counted toward tenure.

Professor Remak was of the opinion that faculty morale could well be served if within each school equal standards should prevail. There should be a consistent practice from department to department so that unfortunate comparisons could not be made. Dean Heffner stated that at present there is a statement signed by the dean, the departmental chairman, and the individual specifying the number of years spent in service at faculty rank either here or at another institution that must be counted toward tenure. It is possible to grant tenure earlier than the expiration of the seven-year period. What "any decision to include other time necessarily towards tenure" means is an earlier decision about whether the person will be appointed to the faculty or not. This would not have the effect of putting more people on tenure but would have the effect of getting an earlier decision by departments as to whether there would be a continuing appointment. He added that he was not sure that he had spoken to Professor Remak's point.

Professor Remak reiterated his feeling about the desirability of equality of treatment, suggesting also the possibility of adverse psychological problems arising. Dean Sutton added that in the College there is a clear policy on handling tenure, but Professor Remak answered that no problem on the matter of tenure exists now with our use of the title of lecturer, but that it might if we use the rank of instructor for those without the terminal degree. Dean Sutton foresaw no change in the policy in this regard.

Dean Heffner stated that in his report he was merely pointing out that two academic divisions did use instructor for those without the terminal degree, and that this has been allowed as policy. He wanted to emphasize the flexibility that exists. Professor Remak then observed that at one time the rank of instructor was quite respectable, but that it had somehow fallen on hard days. He for one would like to see positive steps taken by all to rehabilitate the rank and rescue it from the low opinion in which it is held.

Concluding the discussion, Dean Heffner reminded the Council that his presentation had been a report, not a motion requiring action. The title of lecturer is preserved but with certain changes in its benefits. The completion of the University's self-survey may make another reappraisal of the larger issues involved desirable.

#### 4. Report on Academic Freedom.

Professor Mann, chairman of a special committee to study the statement on academic freedom in the Faculty Handbook with a view to recommending certain revisions, introduced his report with the statement that what he was about to say represented his personal views. Professor Fuchs had initiated the study by a letter to the Council recommending revisions in the statement on Academic Freedom in the Faculty Handbook (p. 46). He had suggested that "antisocial" was too vague a term and that the references to a faculty member's speaking "outside" were unsatisfactory in that he felt a faculty member is subject to greater responsibility than most individuals.

Instead then of offering revisions in accordance with Professor Fuchs' suggestions, Professor Mann said he had rewritten the statement and changed its context from a legal standard to an "understanding." If his statement were accepted he would recommend that it be moved to the Academic Tenure section of the Handbook, for it would no longer be thought of as rules and regulations.

Professor Mann described and explained his statement as follows:

Three parts of the statement, entitled "Understandings of Academic Freedom," deal in turn with research, teaching, and outside statements. "Engage" in the phrase "that no restraints be placed upon a faculty member to engage in research and to publish whatever he ascertains to justifiable interpretations, conclusions, or findings gained from his research" was chosen as a "fighting" word (he fights to do research and he may fight the research). The statement recognizes that the University's goals recognize a prerogative and an autonomy to publish whatever the faculty member ascertains; it gives him an independent choice. "Freedom" is not the proper word.

In "The freedom of a member of the Faculty of Indiana University to determine his research programs and his publications comprehends the extent of the concentration which he gives to research and publication" the phrase "comprehends the extent" means includes the time he gives to research and is intended to convey that it is his decision to make as to how much time he will spend on research.

The last part of the statement relating to research Professor Mann pointed out is not in the present statement in the Handbook and is added as his own personal view: that research and publication "supported by arrangements between Indiana University and a public or private agency and research and publication for which a member of the Faculty of Indiana University is to receive a financial return is subject to the approval of proper administrative officers of Indiana University."

The second section deals with teaching and follows fairly closely what is in the Handbook now except that "not pertinent" is used instead of "controversial" in describing what a faculty member may not introduce into his teaching. Although the Handbook and the AAUP both use "controversial" Professor Mann feels that "pertinent" is a more accurate description. A person is not free to teach any way he wishes but is only free to teach in accordance with professional requirements.

The final section on making statements outside the University ("no restraints . . . to speak and write outside the University on subjects which he has dealt with professionally in his research and publications, and in his teaching" and when he "speaks or writes in the manner of a citizen he is to exercise his freedom of citizenship in a manner commensurate with his membership in a learned profession and the office he holds in Indiana University"), Professor Mann feels is a personal matter, not one for common control. His statement lays down no standards but suggests that a faculty member cannot act without responsibility. Restraints are to be put on an individual by his peers, but it is not proper to write standards in advance that may not be pertinent to certain cases. This ended Professor Mann's presentation.

Dean Heffner suggested that in view of the seriousness of the subject that it might be appropriate to postpone action until the Faculty had a chance to study the statement and its implications in some detail. Professor Mann was agreeable but said he would be happy now to entertain questions from the Council.

Professor Gerking, as a member of the committee, wished to add to Professor Mann's comments that the language of the statement is more positive in context than that of the Handbook. This statement implies that academic freedom is to the advantage of the University and that there is a mutual obligation to protect it, rather than that it is going to be violated and must be protected.

First, Professor Hagen raised the question of the utility of this statement to the Faculty Board of Review as well as to the individual faculty member. The last section on speaking outside and writing outside seems to forbid the faculty member to write about any subject that he has not already written about. Such a check would place restraints against changing fields of research. Professor Mann felt such a reading was a negative one. It would merely keep a faculty member from writing about things he does not know anything about. This expresses an autonomy in the faculty

member to make his own decision, limited by those things he has proven qualified in.

Dean Sutton's raising the case of Professor K. P. Williams, a mathematician earning renown for his published historical writings, brought from Professor Mann the judgment that he had been writing as a professional historian. He emphasized that the idea throughout his statement is an evolutionary one: rather than laying down rules in advance, a faculty committee of a man's peers will judge a given situation.

Professor Hagen commented that there was not much time for evolution when only a single case was involved, and then brought up the question of what was meant by "subjects he has dealt with professionally in his research and publications." What about the professional speakers and writers who must do investigation for a particular piece but who are not really authorities on that subject? They can call their investigation research but it would not be so judged by their peers who are professionally competent in that field.

Professor Mann: There is a flexibility.

Professor Pratt: Would it be helpful to say instead "subjects in which he has professional competence"? Professor Hagen accepted this.

Professor Mann: Do we want to allow a man this much autonomy?

Professor Lundin: This concept of autonomy is astounding. What does the entire last paragraph mean? Who is going to determine what is "commensurate with his membership in a learned profession"? This seems to be a step backward, for it could lead to serious restrictions.

Professor Mann: This statement should not be so interpreted. It can open up academic freedom rather than restrict it.

Professor Remak: It seems more restrictive than the present statement. How can a person start a new field of investigation under these terms? Thinking seriously about a subject can lead to publication; if it is good it will contribute to the individual's reputation, but if it is bad his reputation will suffer. As he sees it, this third section is highly restrictive--nothing is left to the individual.

Professor Mann: Professor Remak's interpretation assumes a man's peers will adopt a very restrictive view of what is "commensurate."

Professor Byrnes: He would support Professors Lundin and Remak here. This section would remove the right of a faculty member to act as any citizen may act, and deprives him of the right to make a fool of himself. Such a ruling as this in a sister insti-

tution would have allowed the dismissal of one of its classics professors a year ago--a serious mistake in principle. A faculty committee should not have the right to consider cases based on this statement.

Professor Carter: Just what does in a "manner commensurate with his membership in a learned profession" mean? Is it related really to academic freedom? How does it relate to how a man will function as a citizen? Would this prevent a political candidate from doing the Brown County stomp as part of his campaign? And does the first section on publishing for money prevent a man from publishing a textbook? This is a profitable venture in some cases. Such a restriction would restrict some activities we take for granted that we enter into as members of the academic profession.

Dean Heffner: Did the committee consider the troublesome question of the degree to which, if a faculty member identifies himself with the University in speaking outside, the University or any part of it is committed? Clarification of this would be helpful.

Professor Mann: The AAUP statements are that all efforts should be made to remove all identification with the University when a faculty member is speaking as a citizen.

Professor Buehrig: Is the statement in the Faculty Handbook that of the AAUP?

Professor Mann: No. It is based on the 1920 AAUP statement. The present statement of the AAUP has no relation to it.

Professor Buehrig: Then why the entirely new statement on the matter by the committee?

Professor Mann: It is a personal statement.

Dean Sutton: Is the first sentence of the final paragraph admonitory? ("A member of the Faculty of Indiana University is a member of a learned profession and he holds an office in the University.")

Professor Mann: No, it is merely an introduction.

Dean Sutton: It seems to be admonitory, and should have an addition something like "but he has all the rights and privileges of free expression of any citizen."

Professor Mann: This paragraph allows faculty committees to separate cases of free citizens from those of individuals connected with the University. Rarely does a faculty member act only as a citizen--he is usually acting as both. This paragraph tries to say this.

Dean Sutton: How is this different from being a plumber or an M.D.? Why should not a professor be allowed to raise a public hue and cry?

Professor Mann: No reason why he should not, but the point is that there should be a proper analysis by a faculty committee to determine just to what extent he acts as a citizen and, say a professor of biology or chemistry.

At this point Dean Heffner asked the pleasure of the Council: to ask the committee to reconsider the draft in light of the discussion, suspend discussion until others have studied it, to give the committee any further instructions? Professor Remak moved and Professor Carter seconded the motion to instruct the committee to reconsider the draft in light of the Council's comments and discussion.

Although Professor Lundin said that it was only fair for the rest of the faculty to see the draft as the Council had, Professor Mann said the committee was willing to reconsider it without its having been distributed. When it was learned as a result of questions from Professor Remak that the committee itself had not actually met and that the draft was more or less a personal statement of Professor Mann, although Professor Gerking had examined it, Professor Buehrig suggested that under the circumstances it would be better not to circulate it to the faculty, for it would create a wrong impression, to which the Council agreed.\* Dean Braden said that if the committee were to redraft the statement with "academic" deleted from the title a different result might be obtained. The point of the discussion has been when freedom and academic freedom come into contest.

The question was called for and the motion passed unanimously.

Dean Heffner asked then if there were any further instructions to the committee or any general comments. Professor Hagen stated that if a statement on academic freedom is to be of utility to the Faculty Board of Review in cases of infringement upon academic freedom, the operating statement must limit the freedom of the faculty member as a citizen--freedom is not license. Other citizens are not completely free. We are just as free as but not freer than other citizens.

Professor Remak said he liked the old statement except for the inclusion of "antisocial." But if the committee feels we need a new statement he would like to register an objection to the first paragraph of the second section of the draft ("that no restraints be placed upon a member of the Faculty of Indiana University to present the subject of his academic discipline in a manner which he chooses") as allowing too great a freedom.

---

\* At the meeting on 4 May the Council reversed its decision and agreed to distribution of the statement as labeled, see Fac. Doc. 21, attached. M.G.

This brought to a close the consideration of the statement on academic freedom. The committee was instructed to report back to the Council after it has reconsidered the draft.

The meeting adjourned at 4:55.

Respectfully submitted,

Mary Gaither, Secretary