

Spring 2006 Teaching Conference | January 24 | Session Notes and Handouts
Academic Freedom and Academic Responsibility

Presenters: Natasha Haugnes and Carolyn Meyer

Session Synthesizer: Andrea Drillings

Number of Handouts: six (included within text below in italics)

Goal: To develop strategies to address classroom situations that concern “academic freedom.”

Agenda:

1. Background
2. Read the policy
3. Case studies (group activity)
4. What next?

Background:

The Academy Of Art University’s Statement on Academic Freedom and Academic Responsibility is effective as of Spring 2006. It was initially drafted by a small committee of Academy instructors and administrators, then reviewed by other members of the Academy community including attorneys from Stanford and University of California Berkeley who are on the Academy’s Board of Directors.

The Statement on Academic Freedom and Academic Responsibility is not going to prevent all problems. Its goal is to provide guidelines for faculty, administrators and students in their responses to situations where Academic Freedom and responsibility questions come into play. As with all policies, it is bound to be reworked and revised as it is put to the test.

Probably the most pertinent part of the Statement on Academic Freedom and Responsibility for teachers is about “identifying teachable moments.” Indeed, the University is less concerned with seeking out and prosecuting “offenders” of any policy, than teaching and training students to wield their freedom with care and understanding of how their expressions will be viewed by others.

Resources:

- *Statement on Academic Freedom and Academic Responsibility (Spring 2006)*
- *Student Code of Conduct*
- *Harassment Policy*
- *Department Directors*
- *Faculty Development*
- *ARC*

Presenter: It is important to remember that we don’t have all the answers. We are here to talk about strategies.

Some on the spot strategies for dealing with “hot moments”:

- **Stay as calm as possible.** Very little can be reasonably discussed when tempers are raging. “We are both really upset right now, but we really need to talk about this. Can we meet.... (time and place)?” or “This piece is complicated. I need to think about it a bit more before responding. Let’s come back to it after break.”
- Call in a **third party** to a discussion.
- Get the cell phone number of a trusted colleague or director who can serve as a “**hotline number**” if you are really stuck.
- Acknowledge that a difficult topic has come up in class and tell the class to take a **15 minute break**. This gives you time to think through a plan.
- Stop a heated discussion that seems to be stalled. Say “a lot of you have a lot to say on this topic, but this discussion is getting difficult. **Write for 10 minutes** on what you would like to contribute to the discussion right now—comments and questions. At the end of ten minutes we’ll take a break and then come back after 15 minutes. “ At the end of the writing, you can collect the writing, or not, or leave it up to the students.
- **Apologizing** for mishandling something is fine, but don’t go too far (e.g. “I’m a new teacher you know, and I just am not comfortable when things like this come up...”). You want your students to see that you are a respectable professional who makes mistakes and learns from them.

Resources:

Managing hot moments in the classroom:

<http://bokcenter.harvard.edu/docs/hotmoments.html>

AAU’s tips for working with difficult students:

http://faculty.academyart.edu/resources/diff_students.asp

AAU’s tips for when it gets too difficult: http://faculty.academyart.edu/resources/gethelp_diffstudents.asp

The policy:

Statement on Academic Freedom and Academic Responsibility

The Academy of Art University values the pursuit of meaningful creative expression and truthful inquiry as essential elements of the artist and scholar’s contribution to culture and society. The Academy recognizes its commitment to upholding these pursuits in the event they should be challenged.

The Academy expects all members of its community to promote free expression as appropriate to the curriculum, while maintaining an environment conducive to learning and responsible academic behavior. The Academy’s expectations of responsible academic behavior include, but are not limited to:

*Engagement in learning in a tolerant, respectful, and informed manner;
Professional behavior in all aspects of work.*

The Academy encourages a spirit of open inquiry as students develop their creative processes and intellectual positions. Intellectual and imaginative openness in itself, however, cannot sustain the educational process. The Academy expects faculty and directors to identify teachable moments and to

cultivate habitual opportunities for learning. Faculty and administrators thus have the following responsibilities:

*Encourage free expression as appropriate to the curriculum;
Avoid introducing material that has no relation to the course objectives;
Place imagery, words, and symbols in their context and ensure their appropriate presentation in open and closed forums including classrooms and exhibition spaces.*

Academic freedom is both a right and a responsibility—it is not a license to violate the law or the rights of others. The Academy reminds its members that they must abide by United States and California laws addressing:

*Discrimination against any demographic category;
Harassment of any individual on any grounds;
Obscenity, incitement, and slander.*

While members of the Academy of Art University community will not be disciplined for activities that are protected under the law as free speech, they can be disciplined for sexual harassment if their activities are viewed as creating a hostile environment for others. The Academy will investigate expressions of violent intent that indicate the person may be endangering himself or others.

Any disputes will be adjudicated through the Academy's grievance procedure. The Board of Directors and President are ultimately charged with protecting and overseeing standards of academic freedom and responsibility at the Academy of Art University.

Comments (a dialogue among presenters and attendees):

The word “appropriate” is ambiguous and undefined in the text.

Maybe reading the Code of Conduct will help define “appropriate.”

“Inappropriate” is saved for extreme situations.

We need to have a board of faculty members to have a fair grievance process.

Yes- and a group for grievances that come from faculty members.

It is hard with field trips to control the environment. There are outside environments that might make students feel uncomfortable.

We are teaching adults. We shouldn't censor what they see. Our job is to teach them to be thoughtful. If it is in our world and accessible to adults, we should talk about it.

Regarding teaching ethics and responsibility in graphic design: A student designed a poster advertising a concert that said “get your fix” and had a picture of a hypodermic needle. What will the parents of the teen audience going to say about letting their children go to this concert? Who will see these posters? Who is the audience? What is the message?

Regarding teaching ethics and responsibility in photography: Students came up with the idea to surprise people on the street by taking their picture.

An instructor received an email broadcast from the AAU (ironically, he said, the only broadcast of this kind he received) promoting an art exhibit called *Spike Up Your Art*. The show was drawings of cats engaging in sexual acts.

It is a double-edged sword to expose students with different backgrounds to different ideas. It can broaden their learning or offend them.

Due process procedures are needed.

Instead of the current grievance procedure, a faculty board should review cases.

Regarding art that could be considered offensive: Students can say they don’t like it. It is better to say, “I don’t feel comfortable with this piece.” Who is the artist? What materials were used? What is the artist’s intent? These are objective questions one could ask when critiquing art.

We need to teach students to separate emotions from intellect.

I want to be protected as an instructor.

The Code of Conduct:

The Academy of Art University expects students to display honesty, integrity and professionalism in every aspect of their behavior and work at the University. The Academy expects students to be mindful of their audience as they innovate through their art. Students are expected to respect themselves, other members of the Academy community, and the Institution itself.

Students are expected to refrain from conduct that injures persons or property, impedes in any way the orderly operations of the school, including classroom instruction, or otherwise prevents the work of its faculty, staff or students. Conduct that is unbecoming of an Academy Student in violation of the Code will result in disciplinary action, in the form of a formal hearing process.

Sanctions and Penalties

During the disciplinary process, every attempt will be made to foster student learning through a system of appropriate and escalating consequences. Students violating the Code may be subject to the following:

- **Warning:** Written notice to a student that continued or repeated violations of specified school policies or campus regulations may be cause for further disciplinary action (censure, suspension, dismissal, restitution). A permanent record of the violation will be retained in the student's file.
- **Censure:** Written reprimand for violations of specified school policies or campus regulations, including notice to the student that repeated violations may be cause for further disciplinary action (suspension, dismissal, restitution).
- **Suspension:** Termination of student status for a specified period of time, including an academic term or terms with reinstatement subject to specified conditions; further violations of school policies or violation of suspension may be cause for further disciplinary action, normally in the form of dismissal.
- **Dismissal:** Termination of student status at the University.
- **Restitution:** Reimbursement for damage to or misappropriation of either school, University, or private property; may be imposed exclusively or in combination with other disciplinary actions (Such reimbursement may take the form of monetary payment or appropriate service to repair or otherwise compensate for damages. Restitution may be imposed on any student who, either alone or through group or concerted activities, participates in causing the damages or costs.)

Harassment Policy:

Harassment (Course Catalog 2005)

It is the policy of the Academy of Art University to promote a learning and working environment free from harassment of any kind, including sexual harassment. Harassment is considered intolerable behavior and is complaints will be investigated and acted upon promptly. Students who have any questions regarding this policy, or who wish to complain of harassment, or any Academy person who has been informed of harassment, should contact the Executive Vice President of Enrollment Management at 415-274-2211. Complaints alleging harassment will be maintained as confidential and private. Students or Faculty Members found to have engaged in harassment may be dismissed from the Academy.

Academy of Art University Harassment policy
P 324 of the 2005 Catalog and Course Schedule

What about plagiarism?

That section is currently being modified.

Case Studies:

Think about the following questions as you determine an appropriate response to each situation:

1. Does the work pertain to the assignment and the curriculum?
2. Is it well thought out?
3. How do the Code of Conduct or Harassment Policy apply to this situation?
4. What is the...
 - a. teacher's responsibility?
 - b. student's responsibility?
 - c. administration's responsibility?

Case A: The Creative Writing Online Course (UG, upper division).

This essay (excerpted here, with accompanying comment) has just been posted for all to read in your class.

The student's comments:

"Completely stereotyped, I admit, but I really have been harboring some pent-up aggression lately and I feel soooo much better after being able to use the word muthafucka a dozen times. Ah, my muthafuckin chi is honed."

The Essay:

DRAFTO SEGUNDO-

Shit talkin' muthafucka. This greasy hair piece of shit tells me, " baby I'm gonna take you out on the town and show you the best time you ever had." Best time my ass. Shit, I've had better times sittin' at home shavin my ass. I'm sick of this shit. Five months now he's been tellin' me that he wants to be with me and he still ain't got his shit straight. Muthafucka all talkin' out the side of his muthafuckin' crackerass neck. BEST TIME? Shit. Here I go and spend all night gettin' ready for his stupid ass and he takes me to some dark-ass run down muthafuckin' Chinese restaurant in Japantown or Chinatown or whateverthefuckin' town you wanna call it. Call it "I'm bringin my fuckin ho out and I don't want nobody to know" town is more like it. Shit. ...

Workshop Comments:

This wouldn't fly outside of an academic setting.

What is the assignment?

Let's address obscenity versus profanity. Obscenity is pornography and it does not equal profanity.

Should we address merit rather than a freedom violation?

Is this writing harming anyone?

Stick to the assignment rather than addressing the profanity.

This is lazy writing.

In Pulp Fiction, Samuel L. Jackson recited a bible passage before killing someone. The writers of this movie were not lazy, and his character is one of depth.

Case F: The Logo

A senior has turned in a painting project in the Fine Art dept. The assignment was to continue within the student's body of work and have a work that reflected this direction. The work was a large, depiction of a sex act between a male and female in front of a very large AAU logo.

Analysis: This is a good example of a "teachable moment." While none of the subjects in this piece are "forbidden", the student needs to be aware of what audience this would be appropriate for. The Code of Conduct requires students to "respect ...the institution."

One response: The teacher's response is neutral. Her face shows little regard one way or the other. She asks the student to explain what his work is in reference to and that gets some giggles from the classroom. The student explains how upset he is that fees to attend AAU are very high and this is how he is disgruntled. The teacher asks if this is in keeping with his approved body of work and the student says no. The student didn't fulfill the assignment then because the assignment was to continue with your body of work. Technically and conceptually it was not a very good piece. The teacher also said she would not allow this work to be shown in his AAU art show. She asked if the student understood why this would not be shown and he said yes. This work was more about the student's personal frustration than with completing the homework assignment objectives. While the class enjoyed the discussions surrounding this work the work received a "C".

Workshop Comments:

What was the body of work?

Evaluate the work and the intention. Did it go with the rest of the body of work?

Teacher said that it couldn't go in the gallery. The student understood that and did not argue. The piece was graded fairly—a C.

What if he creates more of the same?

Ask: What is your purpose? Who is your audience?

The classroom is not a place for therapy.

Just because it is shocking, it does not mean it is good art.

Code of Conduct says, “Students are expected to respect themselves, other members of the Academy community, and the Institution itself.”

Act of defiance?

Case E: The Religious Drawing

A student turned in a first project for a drawing class—a fairly good rendering of a child kneeling in front of a glowing crucifix. The instructor’s goal with the assignment was to get an idea of the level of each student’s technical abilities. The teacher critiques the crucifix drawing and ends with “Technically, this is fine, but I really don’t want any religious subjects being drawn in class—Christian, Jewish, Muslim, Buddhist, Pagan whatever-- they tend to be too emotionally charged and it really makes it harder for me to grade them objectively without offending someone’s beliefs. I’d like you to redo this assignment—or I can just give you double credit for the next one. Sorry for the misunderstanding.”

Analysis: The teacher could be accused of violating this student’s academic freedom, especially if there were no stipulations about choice of subject in the assignment. In this case it is the student’s responsibility to speak out.

Workshop Comments:

Missed a teachable moment.

It was unfair to ask the student to do it again. Instructor infringed on the student’s freedom.

Would it be okay to state ahead of time that there is not to be any religious or profane ideas or emotionally charged ideas?

Link to content!!!

Set whatever policy you want ahead of time and justify it.

Case D: The Protesters

Three students arrive in an evening class 20 minutes late, wearing T-shirts that contain obscene anti-Bush slogans. Two of them are carrying signs from the Peace March they have just attended. The instructor stops class and asks them how the march was. The students are enthusiastic and tell about the “great turnout” and how if “F\$%^\$% Bush and Cheney still aren’t getting the message, then they should be impeached.” The teacher laughs and says he agrees wholeheartedly. He announced that it is really important to take part in such events when things are getting as bad as they are right now in this country. He says the students won’t be penalized for being late because this was an

important thing to do. The instructor then returns to his review of color theory. During the break, one visibly agitated student stays behind and “explodes” at the teacher, swearing at him and telling him if he “doesn’t appreciate the freedoms in this country, he should get the %\$%^\$ out..”

Analysis: The teacher was not being “academically responsible” when he deviated from the class curriculum and engaged with the protesting students. He was also not providing a good example of engaging in a “spirit of open inquiry.” Teachers are free to voice opinions, but need to be extremely mindful of doing so in a context that encourages open dialog. Students are free to wear T Shirts with political statements on them, but a teachable moment might entail around “professional dress”.

The angry student violated the Code of Conduct by swearing at the teacher and addressing him in such a disrespectful way.

One response:

During break, the teacher immediately says “I’m really sorry to have offended you and I should not have even started talking about that topic in the class. I want to talk with you more about this—do you want to take a break right now and come back, or shall we talk now?”

When the class returns, the teacher addresses the entire class, without spending more time on the issue of the Peace March and George Bush. “It was out of place for me to let my emotions get the better of me. I want everyone to know that while I have my own opinions, I really respect that everyone here may not share them...” The teacher needs to inform his department director of the incident and how he handled it right away.

Workshop Comments:

Teacher is taking sides.

This is not appropriate to the curriculum.

The teacher should call the students out on being late and not get into the political issue.

Is the clothing distracting to the learning environment?

The teacher should not draw attention to the students.

The classroom is a place to practice for the professional environment. Students should dress professionally and create the environment that way instead of going in the direction of a dress code.

Case Studies not discussed:

Case B: The Photo Storyboarding class (UG, Freshman).

You are teaching students to tell stories with photographs, using composition, camera angle, exposure, and other photographic elements to visually tell a story. One student, a well-spoken, engaging student in her early 30's gives you her carousel of slides to click through and critique as a class. The story is about a woman who buys heroin, overdoses and is then visited by an angel. Of the 20 slides, about 12 of them document very graphically with extreme close-ups, the main character injecting heroin into her arm.

Analysis: Portraying drug use in photographs alone does not violate academic freedom. The manner in which it was done here, however, implies an insensitivity to a "general audience". If the assignment specified the audience the slide show was supposed to be made for, the discussion will probably go more smoothly.

Possible responses:

1. The instructor says "sorry, I need to go through these kind of quickly because needles make me really queasy.. does anyone else get dizzy at the sight of needles?", giving an authentic audience response, then responds to the story, shot angles, etc. A class discussion around the following questions will capitalize on this teachable moment "What effect does this number of "needle shots" have on the audience? Does each shot further the story? Have you all seen these types of scenes in films before? What sets this apart?"

2. The instructor points out that another approach to telling this story might be less graphic but more effective. He asks for alternative ways to visually tell the story. He asks students to recall the shower scene in Psycho, pointing out that we never actually see the "gore" of the murder.

Case C: Seminar for Success online. Posted in response to "Describe an occasion when poor time management, poor planning, or unclear goals significantly affected your life. What obstacles led to that poor time management?"

I went out to new york to shoot a project. I was going to need my friend Eddy to help carry video equipment and get me from point A to B since I didn't know the city. In a rush and not slowing down to plan every detail I forgot to see if he would even have the days off to help me. I just booked the ticket and headed out. When I got to his house in NY I found out that he had to work days while I was there. He managed to get two days off to help me. The first day I went to shoot but there was an event at the location so I couldn't get any of the interviews or footage I needed. The second day we went back and were seen filming. All of a sudden a cop is walking up to me. He walks up to me and points to a towel headed arabs in a silver mini van. He said that they are being taken in for questioning because they were scene filming around the city and it could be terrorist related. He then confiscated my camera and made me view all of my footage with him and explain what I was doing. Because I didn't get a permit my friend and I, two white kids, were being treated like a couple of camel jockeys trying to film the next terrorist target. I begged to stay and shoot my project but they wouldn't let me. This is a case of poor planning that ended up costing me almost a thousand dollars in production costs for equipment, plane tickets and ground transportation. I really do wish I could have taken that one back.[sic]

Analysis: Repeated use of racial slurs can be seen as harassment, or “creating a hostile environment.” The student has the responsibility to learn to use respectful language.

One response:

Teacher deletes the post, replacing it with: “Edit: Please see my email message.”

Teacher posts an independent comment to the whole class saying “A reminder to everyone: I want you all to state your opinions honestly and openly; however, I do insist that you do so respectfully. Please avoid using personal attacks, stereotypes, slurs, or derogatory euphemisms in your posts. Thank you.”

Teacher attempted to call the student, but not reaching him, sent the following email:

Your post in the M2T: Poor Time Management thread was an excellent example, and I greatly appreciate you sharing it. I really like the way that you are clear about the details of what you did and did not do, and the results of those (in)actions. I’m sorry to hear that the experience was so costly for you; hopefully you will not encounter a similar situation again anytime soon.

I had to remove the post, however, because of some of your word choices. The phrases “towel headed arabs” and “camel jockeys” could be extremely offensive to many readers, regardless of ethnic background. Such ethnic stereotypes are generally considered insensitive and detract from the positive impact of the rest of your content.

I want to encourage you to rephrase parts of your post and then re-edit my interjection to add your experience back into the discussion. One possible way to do that would be to simply delete the adjective “towel headed” and change the later sentence to “...my friend and I were being treated like potential terrorists [OR like terrorism suspects].”

Again, I really like the content of your post and want to see it as part of the class discussion. Though many of the steps may seem obvious, what could you have done, or could you do in the future, to prevent the situation from occurring? Please let me know if you have any questions.

Concluding comments from the presenter:

Watch for new policy in that AAU’s latest printed materials. We will continue to develop strategies that will guide the AAU community in handling issues pertaining to academic freedom and academic responsibility.