

COMMITTEE ON ACADEMIC FREEDOM AND RIGHTS ANNUAL REPORT
2020-2021

The Committee on Academic Freedom and Rights (CAFR) serves as the guardian of academic freedom and rights for all members of this academic community.

During the Academic Year 2020-2021, CAFR considered eight separate cases. Two of these cases were informal summer consultations with the Chair, and did not progress to the inquiry stage. Five of these cases were addressed via the informal inquiry processes, and one was addressed via formal processes. Two cases involved students, and therefore a student representative provided by SGA was, at times, present.

In addition to these six cases, the chair of CAFR consulted with members of the administration on the topic of academic freedoms and rights. In all, CAFR conducted over 70 meetings this academic year; while some of these were informal consultations or matters that could be handled by the chair and/or incoming chair, nearly 50 of these meetings involved a full CAFR quorum. CAFR also delivered a report on academic freedom and rights to the Board of Trustees on May 16, 2021.

Informal Cases: Informal cases require an individual to bring a complaint to CAFR via a meeting; informal cases mean that a full CAFR quorum heard and discussed the case. For informal cases, CAFR may meet independently to consider the case, may engage in an informal investigative/interviewing process, and may attempt to resolve the complaint via mediation.

CAFR heard five informal cases. In three of these cases, CAFR took a mediatory role and, with the complainant's consent, consulted with members of the administration to work to resolve the issue. In one case, the complainant elected to resolve the situation on their own or through channels other than CAFR. In one case, the complainant elected not to take action, but instead to continue communicating with CAFR in the coming months about their ongoing concerns; CAFR does not consider this case closed.

Formal Cases: Formal cases require that an individual write a formal letter of inquiry, naming one or more alleged violators. This letter initiates a full CAFR investigation. CAFR received and adopted one formal inquiry and completed an investigation into the alleged violations. The formal petition was submitted on March 1st, 2021, CAFR's findings and recommendations were conveyed to the President in the form of written letter on April 14th, 2021, and the President provided a written response on April 27th, 2021.

Changes to CAFR's membership. First, the committee must now have at least three tenured members. Second, the chair of CAFR must have tenure. Third, the Chair of CAFR is also the Chair of the Tenure Review Subcommittee (TRS), and the TRS contains three tenured members of CAFR. Fourth, the Chair of CAFR and incoming Chair of CAFR will be members of a TAC, should one be convened. Fifth, CAFR has adopted the same procedure used by ATC to fill slots on the TRS/TAC should there be a conflict of interest within CAFR membership.

Changes to CAFR's processes and procedures. First, there is now a Tenure Review Subcommittee (TRS) made up of the three tenured members of CAFR. Second, CAFR is now required to complete the same anti-bias training that ATC undergoes at the start of the academic year. Third, CAFR has formalized the TRS investigative processes, which are now addressed in the CAFR Operating Code (and which were voted on as part of the motion passed by the faculty). Fourth, CAFR has updated the language on confidentiality within its operating code to make it more explicit, and to ensure that it is in line with the Faculty Handbook.

Observations and suggestions:

CAFR identified, as part of our work, that many Faculty Handbook policies apply to non-tenure track individuals on renewable contracts, but do not apply to individuals on non-renewable contracts. CAFR believes that it is vitally important that individuals are aware of their rights (and responsibilities) as faculty members, and therefore that the Faculty Handbook and other guiding documents should be clear enough that every member of the Skidmore community knows which portions do and do not apply to them. CAFR believes that the administration is committed to working with the faculty in the coming year to resolve this issue.

As in previous years, CAFR's workload was high. CAFR is concerned about the uptick in cases in recent years. It is not clear whether violations of academic freedoms and rights are more frequent now, or, instead, whether they are being reported at high rates. Nevertheless, it is clear that many members of our community believe that their academic freedoms and rights are being violated, more so than in previous years.

Skidmore's current decentralized approach to departmental management may have consequences for academic freedoms and rights.

- In this and previous years, CAFR has seen cases that have brought to light the ways in which departmental handbooks are sometimes vague, underspecified, ambiguous, and/or are in conflict with other guiding documents.
- We encourage all members of all departments to carefully review their departmental procedures, especially related to personnel policies. Specifically, we suggest that each department set aside time during department meetings to intentionally and proactively review their departmental handbook.
- In this and previous years, CAFR has seen cases that have brought to light the ways in which deviations from written policies and procedures can have consequences for both personnel decisions and for the lived experiences of individuals in our community. Because Skidmore's approach is fundamentally

decentralized and department-centric, individuals' experiences of their workplace hinge both on the specifics of their department's policy and on their chair's implementation of that policy.

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