November 4, 2015

Dr. Barbara E. Brittingham, President
Commission on Institutions of Higher Education
NEASC
3 Burlington Woods Drive, Ste 100
Burlington, MA 01803-4514

Dear President Brittingham:

I am writing on behalf of the Brandeis University Faculty Senate to strongly urge the Commission to revise language in the proposed accreditation standards regarding academic freedom and adjunct/part-time faculty. As you know, we have met with Commissioner Karen Muncaster at the Rabb School of Continuing Studies at Brandeis who provided useful context about the Commission’s process and also encouraged us to submit our letter of concern to the full Commission.

The Brandeis University Faculty Senate is unanimous in our serious concern about the new standards proposed by the New England Association of Schools and Colleges’ Commission on Institutions of Higher Education for accrediting institutions like Brandeis. We are especially concerned about the weakening of the current standards’ language protecting academic freedom (which we know to be under assault nationally) and at the related weakening of language concerning part-time and adjunct faculty, whose frequently precarious, and sometimes desperate, financial circumstances have been much documented over the last few years. These two issues are related, since adjunct and part-time faculty are the most likely to feel constrained in what they can say, teach, advocate for, and publish on pain of losing the piece-work on which so many of them must depend.

In brief, we see a threat to academic freedom in the revision of this language from the current standards –

5.14 The institution protects and fosters academic freedom of all faculty regardless of rank or term of appointment.

5.15 The institution has a statement of expectations and processes to ensure that faculty act responsibly and ethically, observe the established conditions of their employment, and otherwise function in a manner consistent with the mission and purposes of the institution --
to the following language in the proposed standards:

6. 7 The institution assures academic freedom for faculty and students in teaching, learning, and research. It works systematically to ensure an environment supportive of academic integrity.

We find the reference to “academic integrity” more vague and therefore more troubling than the previous language calling on institutions to state its expectations and processes in order “to ensure that faculty act responsibly and ethically.” We are especially unhappy about the weakening of the language which had set out the institution’s duty to “protect and foster academic freedom.” The new standards ask only that institutions “assure academic freedom for faculty in teaching, learning, and research.” It will be clear that the restriction of protection to covering only these official roles leaves a great deal more room for private institutions to constrain its faculty in the exercise of other legal speech and activity. We understand that some private institutions may legitimately require oaths or other commitments to their religious or political positions, and we do not object to clear and enforceable contracts setting those out; our objection here is that the new language accords institutions much greater leeway to decide arbitrarily and at any point what faculty may do or say when they are not engaged in teaching, learning, and research.

Most of the differences that concern us arise out of an almost complete excision of references to adjunct and part-time faculty (there are only four references to them in the proposed standards, as opposed to eleven in total in the current standards). Let one example stand for many. The current standards use the following language to discourage policies which are bad for both our institutional missions and for the faculty who fulfill those missions:

5.8 The full-time/part-time composition of the faculty reflects the institution’s mission, programs, and student body and is periodically reviewed. The institution avoids undue dependence on part-time faculty, adjuncts, temporary appointments, and graduate assistants to conduct instruction. Institutions that employ part-time, adjunct, clinical or temporary faculty assure their appropriate integration into the department and institution and provide opportunities for faculty development.

The corresponding section of the proposed standards eviscerates the already-vague requirement to “avoid undue dependence on part-time faculty, adjuncts, temporary appointments, and graduate assistants”:

6.8 Faculty categories (e.g., full-time, part-time, adjunct) are clearly defined by the institution as is the role of each category in fulfilling the institution’s mission. Part-time, adjunct, clinical, and temporary faculty are appropriately integrated into the department and institution and have regular opportunities for professional development. Where graduate teaching assistants are employed, the institution carefully selects, trains, supervises, and evaluates them. The composition of the
faculty reflects the institution’s mission, programs, and student body and is periodically reviewed.

Indeed, this paragraph contains the only notice in the proposed standards of the place and status of adjunct and part-time faculty, whereas the 2011 standards contain another five references to their status and their rights (e.g. 5.11: “The institution has equitable and broad-based procedures for such evaluation [of academic performance] applying to both full- and part-time faculty, in which its expectations are stated clearly and weighted appropriately for use in the evaluative process”).

We fear that the proposed new standards would rank administrative efficiency in the management of faculty above the freedom of inquiry whose absence is incompatible with intellectual life; and that they also would put adjuncts and part-time faculty at a still greater disadvantage in negotiating their relationship to the institutions they serve. The new proposals threaten to erode both the research and intellectual work of the entire faculty, and therefore also threaten our students’ educational experience.

We therefore strongly and unequivocally urge the CIHE and NEASC to revise the language in the accreditation standards to address these serious concerns. In particular, and at a minimum, we are unanimous in requesting the Commission to consider the following changes:

1) References to faculty should, whenever possible, explicitly include adjunct and temporary faculty.

2) Some version of this standard from 2011 should be restored: “5.15  The institution protects and fosters academic freedom of all faculty regardless of rank or term of appointment.”

3) We are troubled by the new word, continuing, in 9.20 of the proposed standards, which now asks that “The institution publish a list of its continuing faculty....” We would like to see a reversion to the current standard’s language, which refers to the institution’s publishing a “list of its current faculty” (10.5, emphasis added). While we understand that a list of all faculty might be onerous for some institutions, we would nevertheless prefer that the standards remain more general and not allow anyone to infer an invidious distinction between continuing and other faculty. We see many ways that an institution could disguise the extent to which it relies on one-time hires, and we fear that the proposed standards will act as a perverse incentive for some institutions not to offer longer term contracts to adjunct and contract faculty.
We look forward to hearing from you soon and would be happy to discuss these matters in person should you find that useful.

Sincerely,

[Signature]

Professor Susan P. Curnan, Chair, The Faculty Senate of Brandeis University

On behalf of The Faculty Senate of Brandeis University

CC: Faculty Senate Members (Daniel Bergstresser, Joseph Cunningham, Elizabeth Ferry, William Flesch, Kathryn Graddy, Jens Hilscher, Eli Hirsch, Adrianne Krstansky, Sarah Mead, Paul Miller, Susan Parish, Thomas Pochapsky, Jeffrey Prottas, Laurence Simon, Joseph Wardwell, John Wardle)