

DRAFT MINUTES

Faculty Senate Meeting

March 7, 2006

7 pm

{*attendance to be added}

Seth Brown chaired.

The people present introduced themselves.

The meeting opened with a prayer.

Minutes from the meeting of February 1, 2006, were approved with the amendment that Mark Dehmlow had in fact attended.

Minutes from the meeting of February 15, 2006, were approved with the amendment that Mark Dehmlow, Gail Bederman, and third party, Isabel/Elizabeth?* had attended.

Chair's Report

The chair reminded the Faculty Senate of the upcoming March 8 forum with outside speakers on academic freedom.

He announced upcoming elections for Faculty Senate officers. A nominating committee has been formed, and people interested in serving as officers should identify themselves to the committee.

He announced the two topics to be discussed at the meeting: academic freedom and the reports from the university committees formed in response to student interest in student-initiated course evaluations and the perceived need for fuller and better information for use in evaluating teachers for personnel decisions.

He then welcomed Father Jenkins, with thanks for raising the issue of academic freedom for public discussion, which he characterized as a wonderful opportunity to discuss who we are and what we want to be, which has generated the most discussion among students and faculty he has seen since coming here, and which has the potential to embody Notre Dame at its best. He also thanked Father Jenkins for welcoming e-mails and other responses from the Notre Dame community and attending so many events on the issue.

Discussion of Academic Freedom with Father Jenkins

Father Jenkins began with a prepared statement in response to the Faculty Senate draft statement on academic freedom (hereafter "draft"). He agreed with the general spirit of the draft but voiced reservations on some points that he thought needed verbal clarification or specification of the

issues at stake and/or appropriate responses to particular cases. Although he did not find the draft to pose the issues in black-and-white terms, he thought parts of it might be misconstruable, and he wanted to avoid the problem of unhelpfully framing the different viewpoints as “pro-censorship” or “anti-Catholic character.”

He then focused on the two events of recent controversy. He considered the name change of the event formerly known as the “Queer Film Festival” to be a model of collegial cooperation: a legitimate concern raised, discussed, and resolved not by silencing but by reaching a more transparent title. He characterized the undergraduate production of the “Vagina Monologues” as *both* taking up issues of importance to women *and* offending many women and men who regard it as an affront to Catholicism. In light of the offense it gives and the five years of ongoing performance, Father Jenkins questioned the value of its continuing presentation on campus, while acknowledging that it was not an easy question to resolve. The big question was not what Notre Dame will or will not silence and censor, but how to balance different voices in accordance with the mission statement’s commitment to “free inquiry and open discussion.”

He then took up some turns of phrase in the draft and noted that respect for the mission of Notre Dame entailed providing a forum in which broad and differing views are presented in dialogue with Catholic tradition.

The floor was then opened for questions and comments for Father Jenkins. Among them:

Senator: There has been much sentiment for a general strategy not of silencing but of bringing in more speech. Does Father Jenkins agree w/ this as general direction?

Father Jenkins: Quantity of speech is not the issue, but balance and fostering genuine engagement.

Senator: New students are coming through all the time, confronting perennial problems, and students themselves are expressing the need for the “Vagina Monologues.” Are there real alternatives to it that *won’t* provoke people who oppose any discussion of sex and gender at a Catholic university?

Father Jenkins: We have to find a way to talk about these issues that can include all viewpoints and won’t be so divisive.

Senator: It is troubling that the only issues brought treated as problematic pertain to sexuality, especially women’s sexuality, as if Catholic character only has to do with sex (as opposed, say, to the “living wage” issue). There is clearly a great need being expressed here, and Notre Dame needs to look hard at how it’s supporting students dealing with sexual abuse and other troubles, and not to squash ways the ways students have found of bringing up the issue. Note the message sent by the “Vagina Monologues” controversy and the Keenan Revue happening at the same time.

Senator: We can’t start with saying that something that isn’t ideal should be stopped without there being really viable alternatives presented. It can’t be “Vagina Monologues” or nothing at all.

Senator: It seems very difficult to determine at what point the offensiveness of a given event becomes so great that the occasion for offense should be prevented.

Father Jenkins: Offensiveness inhibits conversation. The question is how to get a balanced discussion to engage views in a robust way.

Senator: All sides have responsibilities to come forward with ideas about better approaches that are still artistically vibrant.

Senator: Language in the draft appears to suggest that if a department doesn't provide funding and facilities for absolutely anything, it could be taken to be "silencing" speech.

Discussion followed in which the issue of "room availability as a tool of censorship" was raised, and it was agreed that the language of the draft could be clarified.

Senator: Students are exactly in the process of learning how to speak in their own voice from their own point of view. Sometimes people need to say "dumb" things in order to say smarter things, and the benefit of "Vagina Monologues" to the constantly changing performers should not be forgotten.

Senator: What about non-Catholic faculty self-censoring?

Senator: What about Catholic faculty self-censoring?

Senator: Personal experience growing up in the third-world, with free speech forbidden, suggests that the young who are discouraged from learning about and discussing sexuality are disempowered. Articulateness about an issue is deeply connected to confidence about it and ability to deal with it.

Senator: Is the basic issue limits on artistic performance as opposed to pure speech? Isn't Notre Dame within its rights to set some limits about performance as a style of behavior associated with speech?

Discussion followed in which different senators took issue with the distinction between performance and speech, noted the dangers of reducing art to "entertainment" rather than something morally and intellectually challenging, took up the question of legal limits on public performance, argued that departments were best equipped to draw the line of appropriateness according to current standards of the profession, and suggested that there might be occasions in which it was appropriate for the administration. (from the president to individual instructors) to intervene to restructure activities along more productive lines, difficult as it was to put together a mechanism for doing so.

Senator: What is the real harm of putting on a performance that some people feel uncomfortable with? No one is required to attend. Is the Catholic character really in jeopardy, or is all this just a PR issue? If so, how much weight should it really carry?

Senator: It's important to ascertain whether all this is about a big issue of general principles or a narrow short-term hot-button issue, the "Vagina Monologues" in particular. The next time

around it would be good to have general principles to put into application, but we should not do something now for a short-term fix that we end up regretting for its long-term consequences.

Presentation by Dennis Jacobs and ViJay Ramanan

Dennis Jacobs and ViJay Ramanan brought documents from the Student Senate and Academic Council and gave a presentation on proposed additional course evaluation materials intended to help in two ways:

1) by getting better and more extensive information than TCEs to use in evaluating faculty for renewal or tenure.

2) by providing students with more and better information to use in choosing courses.

They said that students did not report wanting access to course syllabuses in their decision-making, and they presented a mockup of a “course information” form that included material from instructors about course structure and requirements, a small set of evaluative responses from former students, and information about enrollment. They characterized the student responses as ones for which “good” answers would be similar for students and professors. These would ideally be available on InsideND with access limited to students and the instructor of the course, and they would not be used in personnel decisions.

Senators responded with a number of suggestions, questions, and comments, among them

--the argument that even relatively innocuous questions will lead to grade inflation and effectively constitute publishing TCEs, because students understand they can take revenge by giving negatives on anything.

--the question as to whether individual faculty or departments or faculty could opt out of these forms, and the idea that a mixed system might enable testing as to whether the new forms were in fact helpful to anyone.

--questions as to the logistics and possible effects of administering these new questions alongside TCEs.

--the question of the usefulness and appropriateness of such forms for required courses.

Meeting adjourned at 9:15.

Respectfully submitted,

Julia Marvin
Co-Secretary