

Committee on Freedom of Expression Policies and Procedures

Report to President Michael T. Nietzel
March 29, 2007

The charge to our Committee as stated in your memo dated December 7, 2007 was “to review and evaluate existing University policies and procedures regarding the manner by which Missouri State University provides for freedom of speech and expression on campus.” Further you asked for us to consider three specific questions:

- *Are these various policies clear, and do they adequately communicate the University’s commitment to basic individual rights, with particular attention to freedom of expression?*
- *Are there any omissions in our policies and procedures concerning these rights that should be addressed?*
- *Are grievance and complaint procedures clearly communicated and adequate for the array of issues that can be implicated in this area of concern?*

And finally you asked us to “concentrate on these issues specifically as they relate to students as they participate in the University’s instructional programs.”

To begin our task our committee first met on February 6, 2007. After a general discussion, committee members agreed to investigate the following Missouri State documents and areas in an effort to help bring clarity to the current situation, discover any “best practices,” and then focus on concise recommendations.

- Code of Student Rights and Responsibilities,
- Complaint procedures from the Office of Equity and Diversity,
- Information and procedures from the Academic Integrity Committee,
- Missouri State academic departments’ “ethic codes” or “statements of ethical principles” for their respective discipline (internal or external),
- Faculty Handbook, and
- “best practices” review of other academic institutions especially Missouri State “benchmark institutions.”

In summary, after discussing our findings in three subsequent meetings, we came to the following conclusions related to your three questions:

Are these various policies clear, and do they adequately communicate the University’s commitment to basic individual rights, with particular attention to freedom of expression?

We found many of the Missouri State policies generally written from a legalistic and technical perspective, and therefore, not always clear, especially to a student. Thus, while legally and technically correct, the University's policies (as written) could be more user friendly and serve a larger purpose. The Code of Student Rights and Responsibilities in particular, is dominated by the responsibilities of a student, consequences of various student acts and concentrates on the negative. The substantive content of Missouri State's policies was generally consistent with other "*benchmark institutions*."

Are there any omissions in our policies and procedures concerning these rights that should be addressed?

No, however, we believe there are two roles for policies and procedures of this nature, i.e., informational and educational. While we believe relevant Missouri State policies and procedures are technically correct, there exists the opportunity to broaden their role and influence.

Especially, the opportunity exists to link policies and procedures to the educational process and the central place of freedom of expression in academic settings. Further, if the purpose of the public affairs mission is to prepare graduates who are both competent and committed to the exercise of civic leadership, that leadership must take into account the growing diversity of cultural, religious, political and ideological perspectives. As the world increasingly becomes a global community citizen-chemists, citizen-teachers, and citizen-business leaders will increasingly need both breadth of understanding and openness to alternative views. Such a posture is not antithetical to critical thinking. Diversity simply calls upon citizens to develop a "*learner mindset*" when encountering alternative views as opposed to the "*judger mindset*" which is common to the less broadened mind.

Our committee also discovered that there may be some discipline specific issues that bear exploring, especially in cases where discipline-based ethic codes may not be in alignment with University policies.

Are grievance and complaint procedures clearly communicated and adequate for the array of issues that can be implicated in this area of concern?

We found many of the Missouri State complaint procedures hard to find and thus not adequately communicated. Once found, the procedures are generally buried in lengthy, legalistic and technical documents. Procedures address a wide range of possibilities but could pose a daunting process for a less informed or less secure student. Some "*benchmark institutions*" utilize language in their documents which we found helpful: clear and legally understood wording, educational in

purpose, with a strong advocacy role.

Academic freedom of expression by students and all members of the Missouri State community is both a cherished right and responsibility. There is the need to change the culture of academic expression from a “*position collision*” environment to a “*mind opening/broadening*” experience.

Our committee brings forward the following recommendations which we have divided into three areas: **Information, Administration and Training.**

Information

1. The University should create a short summary using clear language which describes students’ rights and responsibilities. Such a summary should include information related to freedom of expression and the role of a student as a member of the Missouri State community, should be educational in tone, should be linked to the Public Affairs mission, should express citizenship and scholarship standards, and should provide a clear sense of where more detailed information can be found (e.g., web links). The summary should be distributed through various methods and media, including:
 - Orientation handbooks that are distributed in the Student Orientation and Registration (SOAR) process and through IDS 110
 - Web pages that are accessed frequently by students, such as on Blackboard
 - A specific Freedom of Expression webpage on the Missouri State website (see #3 below)
 - Course policy statements in a manner similar to other university policies
2. The University should provide a clear explanation of the steps that a student can take in conflicted situations, emphasizing not only the student’s rights but also the student’s responsibilities as a member of the Missouri State community to use University processes and procedures. It is important that the student have alternatives available for redress outside of the traditional academic structure, i.e., other than the department head and dean, should the outcome be unsatisfactory. See “*Administration #1.*”
3. The University should develop a specific “*Freedom of Expression*” webpage on the Missouri State website. On this webpage there should be links to all policies specifically relating to freedom of

expression issues, including the Faculty Handbook (section 3), the Student Code of Rights and Responsibilities, and the University's non-discrimination policy.

5. The University should develop a "*Freedom of Expression*" PowerPoint presentation that would be utilized within IDS 110. This presentation should also be easily accessed on the Missouri State website.
6. The University should provide clearer associations on the Missouri State website between keywords and the freedom of expression policies, making such policies more accessible.
7. The University's "*Declaration of Community Principles*" is sound, and should be widely circulated and discussed within the Missouri State community. Statements accompanying the Declaration (e.g., Mission, Public Affairs, Developing Educated Persons, and Six themes) should be revised and updated as is appropriate.

Administration

1. It should be recognized that a student may need guidance in knowing how to navigate a classroom or academic situation that they believe to be wrong. Thus, the University should consider someone in a role of an ombudsman. This does not need to be a position with only ombudsman duties. However, someone in the University structure should be identified for such a role. It would be important that this individual is perceived as a neutral person in an office outside of the academic structure, such as possibly in Student Affairs. As noted in item "*Information #2*," an ombudsman should be used after traditional academic channels have been explored.
2. When situations arise, the outcome should be communicated by the University as clearly and to the extent possible to all parties involved. Missouri State personnel policies may limit the amount of information that can be provided; however, the aggrieved party(s) should be informed of how the situation has been resolved.

Training

1. The disciplines within the University should educate faculty about ethical issues and standards related to freedom of expression. Since this is more problematic in some areas than in others, specific discipline issues may arise. We suggest discipline specific discussions across the University comparing Missouri State policies with discipline ethics codes. Further, we recognize that problems may arise when discipline-specific codes of ethics may be in conflict with University policy. While we can not identify a single solution to this dilemma, we believe this is a crucial issue that merits more discussion.
2. Interdisciplinary contact within the University needs to increase to

minimize and remediate situations in which conflict arises. When such problems occur, there needs to be someone brought in from outside the discipline in question to offer the possibility of an alternative view.

3. Sessions on ethical issues and standards related to freedom of expression should be held on a regular basis within the Showcase on Teaching programs held at the beginning of each semester.
4. Diversity is an asset to the University. As examples, while religious, political, cultural, ideological and economic differences can be sources of conflict, they can also be sources of learning. To facilitate this opportunity for learning the University should sponsor an annual series of forums demonstrating the conflicts that can occur, as well as how such conflicts can be managed constructively. Such a series could be part of the responsibility of the President's Commission on Diversity.
5. While the University tolerates and encourages differences of opinion, this does not mean that all opinions are equally valid within the classroom and academic pursuits. The University should continue to rely on critical thinking and peer review as primary methods of evaluating opinion within academic activities.

In conclusion, I compliment the members of our committee. Their depth of experience, wisdom, and knowledge of Missouri State and the academic enterprise was incredibly helpful to our task. While all committee members were important to our work, my special thanks goes to David Lutz who helped draft this report. We trust that you will find our recommendations helpful.

Committee Members

Rev. Howard Cavner, Chairperson and Community Representative;
Dr. John Catau, Office of the Provost; Mr. Lynn Cline, Library;
Ms. Jan Horton, Community Representative;
Dr. Don Landon, Emeritus Personnel; Ms. Millie Lewis, Equity and Diversity; Dr. David Lutz, Psychology; Ms. Victoria Moger, Student Representative; and Ms. Melissa Ohlfest, Student Representative.