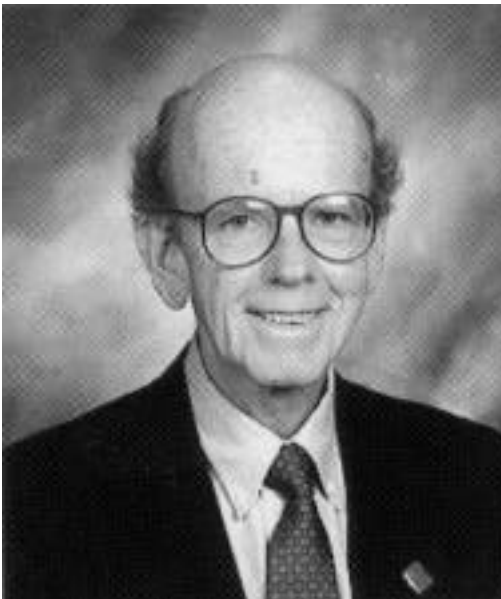


## ASC Chair To Speak at Spring Meeting

The Spring meeting of the Tennessee Conference will be held Saturday, April 4, on the campus of the University of Tennessee, Chattanooga. We will meet from 10 AM to Noon and from 1 to 3 PM in the Raccoon Mountain Room on the ground floor of the University Center. A continental breakfast will be available at 9:30.

The speaker at the morning session of the meeting will be **Professor John Hopper**, who is chair of the



Assembly of State Conferences and Executive Secretary of the Missouri Conference of AAUP. Professor Hopper retired from full-time teaching in 1993 to devote himself to AAUP work. He will speak about the role of a strong AAUP chapter in campus governance.

There is a registration form on p. 5 of this newsletter; registration is also possible at the meeting, but priority for the luncheon will be given to those who are pre-registered. Directions to the UTC campus are on p. 6.

The conference meeting is a valuable opportunity to meet your colleagues from other schools and to participate in collective measures to improve higher education in Tennessee. Please join us.

## Academic Freedom: Individual and Institutional

by **Richard Kyte**

*Professor Richard Kyte (Religion and Philosophy, Christian Brothers University) represented the Tennessee Conference at the national conference on Academic Freedom at Religiously Affiliated Institutions, held in Chicago on October 24–26, 1997. Papers from that conference were published in the latest issue of Academe.*

At the AAUP Conference on Academic Freedom at Religiously Affiliated Institutions in Chicago this past October, two general ideas emerged which may represent a significant change in the way in which academic freedom is conceived. The first was that academic freedom is a concept that applies not only to individuals but to institutions as well: any general principle that establishes a single, broad standard of academic freedom for individual professors at the same time imposes a corresponding restriction on the freedom of academic institutions to determine their own mission and identity. The second idea was that there is no such thing as absolute or unconditional academic freedom, that certain constraints on freedom are a condition of meaningful participation in community of learning and are in fact already in place at every academic institution, and that, therefore, what is (or should be) at issue within the AAUP is not whether freedom may be restricted by colleges and universities but the extent to which restrictions are appropriate and the means by which they should be implemented.

The particular text upon which much of the conference discussion focused was the so-called "limitations clause" of the 1940 Statement of Principles on Academic Freedom and Tenure. The clause reads as follows: "Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment." That clause seems to imply that a religiously affiliated institution may

*(continued on p. 4)*

## Tennessee Faculty To Attend Committee T Workshop

AAUP's Committee T will sponsor a workshop on campus governance in Washington, D.C., on February 21. The Tennessee Conference will be represented by **Will Schrader** (History, TTU), chair of the Conference Committee T, and **Dick Gildrie** (History and Philosophy, Austin Peay), president of the APSU chapter. Professors Schrader and Gildrie will present reports on the workshop at the spring meeting in Chattanooga on April 4.

## Fall Meeting Scheduled

Please mark your calendars for the next meeting of the Tennessee Conference, AAUP:

**Fall 1998:** October 3, Middle Tennessee State Univ.

The speaker at the fall meeting will be Pat Shaw, Director of the Department of Organizing and Services for the national AAUP office.

## Election of Officers, 1998–2000

The Nominating Committee, consisting of Robert Hughes (University of the South) and David Lee (University of Tennessee, Knoxville)—both past presidents of the Tennessee Conference—has recommended candidates for the four elected Conference offices. AAUP members should find in this Newsletter a ballot which needs to be returned to David Lee by March 6.

The candidates have provided brief statements to accompany this announcement of the election.

### For *President*: Marius Carriere, CBU

*Marius Carriere* is a tenured professor of history at Christian Brothers University. He received his Ph.D. from L.S.U. in 1977 and has been at CBU since 1980.

During the 1980s, Marius held the positions of secretary, vice-president, and president of the CBU Faculty Assembly. As a Faculty Assembly officer, Marius was instrumental in securing increased fringe benefits and payroll deduction for the CBU faculty. He has been a member of AAUP since 1985 and helped a three member "chapter" become a chapter which now comprises 40% of the CBU faculty. Carriere has been vice-president of the local chapter and is currently the president of the chapter, a position he has held, for the most part, since 1994. Marius is currently vice-president for private colleges and universities of the Tennessee Conference of AAUP.

### For *Vice President for Public Institutions*: Norma Cox Cook, UTK

*Norma Cox Cook* is an associate professor at the University of Tennessee, Knoxville, where she joined the faculty in 1966. Prior to coming to UTK, she was a faculty member at Middle Tennessee State and Memphis State (now the University of Memphis). Her areas of specialty in Speech Communication include freedom of speech, the rhetoric of the women's rights movement, and argumentation and debate. She also works with interdisciplinary programs as a member of the Women's Studies Committee (since 1989) and the newly formed Legal Studies Committee.

As a member of the UTK Chapter of AAUP, she has served on the Executive Committee (Fall 1993), as Acting Vice President (Spring 1994), two terms as President (1994–96), and as Chair of the Nominating Committee (1997). She currently chairs Committee W of the Tennessee Conference.

Her current and recent participation in university governance at UTK includes membership on the Senate-Chancellor Evaluation of Administrators Standing Committee (1996–present), the Senate-Chancellor Ad Hoc Committee on Campus Cultural Life (1995–97), the Arts and Sciences Dean's Advisory Council (1996–97), and the Faculty Counselors to the President (UT) (1997–98). She also was Chair of the UTK Commission for Women for two terms (1994–96) and continues as an ex-officio member.

Other recent activities include membership on the Tennessee ACE/NIP State Planning Committee (1995–97) and Board Member of the Association of Women Faculty (1995–96). She was presented the University of Alabama Outstanding Alumna in Speech Communication award in 1996 by the Capstone Communication Society and the College of Communication.

### For *Vice President for Private Institutions*: Steve Gadbois, Rhodes

*Steve Gadbois* is an Associate Professor of Mathematics at Rhodes College, where he has been a member of the faculty since 1985. He serves on several college committees: Advising, Admissions, Appeals, and Evaluation, and has been a Faculty-elected Trustee since 1994. Steve has been president of the Rhodes College AAUP chapter since 1992, and he has served AAUP by organizing the ASC/AAUP Regional Training Conference (1996 at Rhodes College), and by representing the Tennessee Conference at the Collective Bargaining Congress Summer Institute (1995) and the Assembly of State Conferences Committee A Workshop (1996). Steve is president of the Tennessee Mathematics Teachers Association (1997–99), which he served as vice president from 1991 to 1997, and was president of the Vollintine Evergreen Community Association (Memphis) in 1991, 1994, and 1995. His B.S. is from St. John's University (Minnesota) and his M.S. and Ph.D. are from Michigan State University.

(continued on p. 4)

## Minutes of October Meeting

*These minutes of the October 4, 1997, Conference meeting at NSTI were prepared by Gil Fernández, Secretary-Treasurer of the Conference. They will be reviewed at the spring meeting on April 4.*

The Fall 1997 Meeting of the Tennessee Conference of AAUP took place on Saturday, October 4, 1997, on the campus of Nashville State Technical Institute. President **Bob Glenn** convened the meeting at 10:05 AM. After the twenty-nine delegates from fifteen public and private institutions introduced themselves, President Glenn announced a revision in the agenda for the morning portion of the meeting. Tammy Ruff of the NSTI-AAUP chapter welcomed everyone to the meeting and to the campus.

As he had done at last year's fall meeting, President Glenn publicly recognized the long-term members of AAUP in Tennessee who had held sustained membership from twenty to forty-five years. **Professor Kathy Baker**



from UT-Memphis [shown here with Professor Ron Sommer, UTM], a member since 1972, and **Professor Robert Hughes**, a member since 1977, commented on their years of affiliation with and service to AAUP.

The speaker for the morning portion of the meeting, **Dr. Richard G. Rhoda**, most recently appointer Interim



Executive Director of THEC, addressed the Conference

on the "Future of Higher Education in Tennessee." Dr. Rhoda focused his talk on the following topics relevant to higher education in the state: prospects for increased state funding for higher education, formula funding, restructuring higher education, the Governor's Council on Higher Education, challenges to tenure, and the status of the desegregation lawsuit—*Geier versus Tennessee*. Questions, reactions, commentaries, and discussion followed Director Rhoda's address.

After the luncheon, President Glenn reconvened the business phase of the meeting at 1:00 PM. Minutes of the Spring 1997 Meeting of the State Conference as published and distributed in the May 1997 Newsletter were approved. Secretary-Treasurer, **Gil Fernández**, reported a balance of \$2017.25 in the AAUP bank account.

**Marius Carriere**, Vice-President for Private Institutions, reported on issues affecting several of the private institutions. Of note was the situation at Knoxville College which is expected to close by the end of the year. Carriere also reported on the unorthodox hiring practice carried out in Lambuth College, Jackson, Tennessee. Carriere announced that two AAUP members would be attending the Conference on Academic Freedom for Religious-Related Institutions.

**Ken Scherzer**, Vice-President for Public Institutions, gave a report which centered on the status of equity pay at MTSU, detailing the steps which were taken on campus to obtain \$700,000 to fund equity.

Delegates in attendance from the private and public institutions reported on activities taking place and on issues being discussed at their respective institutions.

**Committee A** (Academic Freedom and Tenure): **Bob Hughes**, Chairperson, observed that the committee had no issues or predicaments facing it at the moment, but he recommended that the state committee be contacted prior to communicating AAUP National Office.

**Committee F** (Membership): **Linda and Doyle Hasty**, Co-chairpersons, reminded everyone of the special dues offer for new members and they reported that they had sent letters of welcome and congratulations to new members as well as to reinstated members..

**Committee R** (Government Relations): **Jeff Roberts**, Chairperson, distributed copies of a revised legislative agenda for 1997–98 which resembles closely the 1996–97 agenda. Roberts recommended deleting the item opposing legislative control of course content since it was no longer an issue. He also suggested that the item urging full funding be placed first in the revised agenda. The membership present unanimously approved the recommended changes. Roberts then put forth for discussion the position of the lobbyist, in light of the fact that the greater portion of the Conference's budget is spent on the lobbyist. After some discussion, Ken Scherzer moved retention of Mary Frances Lyle as lobbyist for the 1997–98 legislative session. The motion passed.

**Committee T** (University Governance): **Will Schrader**, Chairperson, had no report but he stated that there were rumors about governance circulating at the TBR.

(Minutes of October Meeting, *continued*)

**Committee V** (Part-time faculty): **Tammy Ruff**, Chairperson, remarked that she had just become chair of Committee V and that she would begin to collect information on employment trends of part-time faculty. She also asked that she be given the names of faculty members from across the state who would be interested in being a member of this committee.

**Committee W** (Status of Women): **Norma Cook**, Chairperson, commented that there is need for faculty women to have a state-wide network mechanism to communicate common issues. Consequently, Cook said she intends to compile an e-mail directory of all chapter Committee W chairs. She asked that her e-mail address, ncook@utk.edu, be passed on to chairpersons of chapter Committees W.

Under New Business, Louis Laska presented an update and provided the membership with an outline of his monograph, "The Rights and Duties of College Faculty in Tennessee." He also said that he had discovered some two-hundred cases involving faculty rights. Professor Laska said that he hoped to complete his study by the spring of 1998.

President Glenn mentioned that Tennessee is in a new district according to *Academe*. Bob Hughes added that Tennessee had been redistricted out of the South without consultation with any conference members. Tennessee is now in a district which includes such states as Iowa, Illinois, Indiana, Missouri, and Kentucky. In addition, Hughes noted, the new redistricting did not take into consideration regional identity and demographics. Hughes then moved that a resolution be forwarded to Committee O, requesting that they reconsider the redistricting of Tennessee. The motion passed unanimously.

President Glenn expressed the Conference's gratitude to the AAUP chapter at NSTI for hosting the meeting.

The Conference meeting was adjourned at 3:00 PM, until it meets again in April 1998, at the University of Tennessee-Chattanooga.

Respectfully submitted, Gil Fernández, Secretary-Treasurer.

(Election of Officers, *continued from p. 2*)

**For Secretary-Treasurer: Gil Fernández, TTU**

*Gilbert Fernández* is Professor of History at Tennessee Technological University, where he has been a faculty member since 1968. Besides his principal area of modern European history he has also frequently taught one or more Spanish classes. His B.A., M.A., and Ph.D. degrees are from Florida State University, and he has a second Master's from the University of Madrid. He has been a member of AAUP since 1968 and served the TTU chapter first as Secretary Treasurer, then as Vice President and then as President during the years 1972-75. He has served as Secretary/Treasurer of the Conference since 1988. From 1974 to 1982, he served as a member of the Academic Council, the precursor of the TTU Faculty

Senate, and then as a Faculty Senator. For the last three years Gil has served as National Mortar Board coordinator for the state of Tennessee.

(Academic Freedom, *continued from p. 1*)

impose restrictions on its faculty as long as those restrictions are clearly and explicitly stated. However, the 1970 Interpretive Comments included the following remark: "Most church-related institutions no longer need or desire the departure from the principle of academic freedom implied in the 1940 statement, and we do not now endorse such a departure." It is fitting that the 1940 Statement brings attention to limitations on academic freedom in connection with faculty appointments, because although there are many ways in which freedom can be constrained, it is mainly by selecting their faculty that religiously affiliated institutions are able to carry out the distinctive religious components of their educational missions. If a college or university cannot set its own criteria for hiring, then it is significantly hampered in its ability to carry out its mission effectively. What is at issue, then, in the interpretation of the 1940 Statement, is the role of the AAUP and the extent of its legitimate interest in determining the identity and mission of colleges and universities. Should the AAUP set standards so strictly and universally that certain kinds of colleges and universities cannot, in virtue of their religious missions, hope to avoid censure? Or should the AAUP set standards of a very general and limited scope that allow colleges and universities significant liberty in determining their identities, as long as such colleges and universities make known in advance to prospective faculty what will be expected of them?

If we wish to develop an informed and reasonable response to these questions we need to go back and reconsider the basic question: why is academic freedom important? Only one presenter (David Hoekema, Calvin College) took time to raise and consider that question explicitly. His answer, in short, was that academic freedom is important not primarily because it contributes to the successful pursuit of academic careers but rather because it constitutes the best environment for student learning. "Students," Hoekema said, "need to have the freedom to explore while knowing that their feet are still planted firmly on the ground." Given the fact that students come from a variety of backgrounds and with a wide range of hopes and anxieties about their education, it is appropriate that different types of colleges and universities exist to meet student needs. To meet the needs of some students, then, allowances must be made for colleges or universities to define their missions in order to create a learning environment appropriate to the students they serve.

Of course, there are potential dangers in allowing institutions to place constraints on the freedom of faculty, but those dangers don't come from the religious nature of the constraints. In every case of alleged violations of academic freedom presented at the conference (Brigham Young University, Southeastern Baptist Theological

Seminary, Alvernia College), the gist of the charges was not that the college or university applied distinctive or religiously based criteria but rather that it attempted to apply criteria other than those to which the faculty had knowingly and willingly agreed at the time of hiring.

Fairly and openly applied hiring and tenure criteria (even criteria which take the form of restrictions) may serve as important protections for faculty, especially given the fact that most complaints about faculty at religiously based institutions originate with students or members of the related denomination. When faculty consent to clear and openly accepted guidelines on participation at a college or university, the demonstrable fact that they have been adhering to those guidelines can be a significant defense against the attempt to get faculty to conform in their teaching or scholarship to some newly developed or whimsical standard. For example, Richard Hester reported that when the faculty of Southeastern Baptist Theological Seminary formed an AAUP chapter in response to a fundamentalist takeover of the board of trustees, they reached consensus on a set of "Procedural Guidelines" that included the following sentence: "We as a faculty are properly accountable on doctrinal matters to the guidance of the seminary Articles of Faith, which we have signed, and to the established procedures of the seminary." They then used those Articles of Faith as a basis for resisting attempts to get them to assent to additional confessional statements. AAUP endorsement of such a defense against attacks on faculty

presupposes continued affirmation of the "limitations clause" of 1940. That case is particularly interesting because it illustrates how the 1970 Interpretive Comments would have ruled out the line of defense chosen by the Southeastern Seminary chapter; agreement with the 1970 Comments would have required the faculty to defend themselves without reliance on any confessional statement whatsoever, including those that they had already signed and had been working under, a strategy that would have left them with little support in the public relations battle within the denomination. Without the "limitations clause" AAUP would not be able to draw any meaningful distinction between the Articles of Faith which the faculty willingly endorsed and which formed the basis of their unity and the confessional statements by means of which the board of trustees attempted to divide and conquer the faculty.

The selection of speakers for the conference suggests that this event was organized as a test of the 1970 Interpretive Comments. Twelve of the seventeen speakers came from religiously affiliated institutions. And though they were by no means univocal, their voices, taken as a whole, clearly indicated that church-related institutions do, in fact, need and desire departure from the general principle of academic freedom. They also indicated the need for an organization like the AAUP which can stipulate conditions under which such departures are acceptable, and can provide support for faculty who find themselves under fire for resisting capitulation to arbitrary and capricious standards.

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## About the Chapter Service Program

The Tennessee Conference Chapter Service Program, with support from the Assembly of State Conferences, is designed to aid AAUP chapters in promoting a program on their campuses which will reflect the standards of professional development associated with the AAUP. The AAUP has developed the standards for academic practice long recognized by professors, governing bodies, and administrators in higher education. Each local chapter should have as one of its goals a commitment to see that these standards are adhered to on their campus. Please contact Conference officers or committee chairs for help and services in the following areas:

- Recruitment and retention of members
- Tenure and academic freedom
- Faculty governance
- Chapter leadership training
- Economic welfare of the professoriate
- Lobbying activities
- Conference WWW page
- Attorney referral list

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## Registration for Spring Meeting

I will attend the fall meeting of the Tennessee Conference, AAUP, on Saturday, April 4, from 9:30 AM to 3:00 PM, in the University Center on the campus of The University of Tennessee, Chattanooga.

- My registration *and* luncheon reservation fee of \$15.00 (payable to Tennessee Conference, AAUP) is enclosed.
- My registration fee of \$10.00 (payable to Tennessee Conference, AAUP) is enclosed. (Does not include luncheon.)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Please return your registration form for receipt by March 27 to:

Gilbert Fernández, Secretary, AAUP  
Box 5064  
Tennessee Technological University  
Cookeville, TN 38505

## Directions

To reach UTC, take I-24 to *downtown* and take the 4th Street exit (not 4th Ave.). Follow the signs to the UTC Arena ( $\frac{3}{4}$  mile). Turn right at the traffic light at the Arena, then follow Mable Street to Douglas Street and turn left on Vine. Go past the Gym and turn left into the parking lot. Parking is available in the lot at the west entrance to the University Center, between Fifth and Vine Streets.

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