

# Report of the Faculty Senate Ad-Hoc Committee to Investigate the Proposed BGSU 1914 Course

April 25, 2022

## Fact-Finding

1. At a meeting of the Diversity and Belonging Committee of the Board of Trustees on Sept. 24, 2021, plans for a “Race and Democracy Class” were presented. It was stated that this course had been discussed by a working group assembled by either the President or the Provost since earlier that spring. It was stated that “The pilot will be offered in Spring 2022 as a three-credit course to 160 students across eight sections” and that “If we don’t reach the 160-student goal for the pilot, the pilot maybe extended to ensure that sufficient data can be collected to assess the course for full approval.”<sup>1</sup>
2. These points were reiterated by a representative of the administration to the Undergraduate Student Government on Oct. 13, 2021. Students were told “To enter the course, one must talk to their advisor as it will not be ready to go by the time registration starts this semester.”<sup>2</sup>
3. As of Dec. 2, 2021, neither the Undergraduate Council, the Dean of the College of Arts and Sciences, or those departments with disciplinary expertise in the area of diversity and inclusion, School of Cultural and Critical Studies, History, Sociology, or others, had been contacted by the administration about plans for BGSU 1914.
4. On Dec. 6, 2021, Chairperson Christopher Frey met with Provost Whitehead and Vice-Provost Davis to discuss concerns about news reports about BGSU 1914.
5. At the Faculty Senate Meeting of Dec. 7, 2021, Chairperson Frey outlined his concerns that the BGSU 1914 course violated the Academic Charter. Provost Whitehead announced publicly that there would be no pilot course offered in the

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<sup>1</sup> Board of Trustees Diversity And Belonging Committee Minutes September 24,2021.

<sup>2</sup>[https://www.bgfalconmedia.com/news/new-race-and-democracy-course-discussed-at-usg/article\\_8e5372be-2bec-11ec-886e-bb0b306731f7.html](https://www.bgfalconmedia.com/news/new-race-and-democracy-course-discussed-at-usg/article_8e5372be-2bec-11ec-886e-bb0b306731f7.html)

Spring term. He then repeated that BGSU 1914 was no longer going forward in the Spring at the Faculty Townhall of Dec. 17, 2021.

6. On Dec. 16, 2021, the Faculty Senate Executive Committee voted to move to the full Senate a motion to create an “ad hoc committee...to factually and objectively investigate allegations of: Administration and Board violations of The Charter and/or Academic Principles Statement, and AAUP standards expressed in its current edition of AAUP Policy Documents and reports, also known as the “red book.” [and] Administration and Board violations in regard to curriculum development and academic freedom as expressed by The Charter, Academic Principles Statement, and AAUP standards in its current edition of AAUP Policy Documents and reports, also known as the “red book.””
7. The recommendation of the Faculty Senate Executive Committee to create an ad hoc investigation committee was approved by a vote of the Faculty Senate at its special meeting of January 11, 2022.
8. In response to a query from this committee, Provost Whitehead issued a memo dated March 11, 2022, in which he stated that “the concept of ‘BGSU14’ has been abandoned”.

## Academic Principles and Governance Rules

A number of academic principles as stated in the BGSU Academic Charter, in the Collective Bargaining Agreement between BGSU and the BGSU-FA, the accreditation principles of the Higher Learning Commission, and AAUP “Red Book”

1. The AAUP *Statement on Government* notes that “the faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process.”<sup>3</sup>

The principles for accreditation stated by the Higher Learning Commission include:

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<sup>3</sup> AAUP *Policy Documents and Reports* (a.k.a. The Red Book) Eleventh Ed., (Washington, D.C.: 2015), xv.

1. “Faculty participate substantially in: oversight of the curriculum—its development and implementation, academic substance, currency, and relevance for internal and external constituencies;”<sup>4</sup>
2. Faculty Qualifications: “Faculty teaching general education courses, or other non-occupational courses, hold a master’s degree or higher in the discipline or subfield. If a faculty member holds a master’s degree or higher in a discipline or subfield other than that in which he or she is teaching, that faculty member should have completed a minimum of 18 graduate credit hours in the discipline or subfield in which they teach.”<sup>5</sup>

The BGSU Academic Charter states among its “Basic Principles”:<sup>6</sup>

1. The primary responsibility for the development and maintenance of the University's academic programs belongs to the faculty.
2. There must be faculty participation within the academic governance structure of the University, and student participation when deemed appropriate, for discussion of academic problems and policies at all levels within the University.

The Charter also describes the powers of the Undergraduate Council as follows:<sup>7</sup>

1. “monitor all academic functions generating undergraduate academic credit”
2. “approve proposals for the establishment, modification, or discontinuance of programs and degrees”

The duties and scope of the Committee on Academic Affairs are defined as follows:<sup>8</sup>

1. “Monitor all curricular and academic matters as well as all major changes in academic regulations and policies”
2. “Reviews and comments on the actions of Undergraduate and Graduate Councils to SEC for consideration by Faculty Senate (the CAA does not reject

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<sup>4</sup> Higher Learning Commission, Assumed Practices, CRRT.B.10.020, B.2.d - <https://www.hlcommission.org/Policies/assumed-practices.html>

<sup>5</sup> Higher Learning Commission, Assumed Practices, CRRT.B.10.020, B.2.a - <https://www.hlcommission.org/Policies/assumed-practices.html>

<sup>6</sup> Academic Charter, Art. 1, (d) & (e).

<sup>7</sup> CBA, Art. 9, F. 2. c.

<sup>8</sup> CBA, Art. 4, F. 3.

any actions of the Undergraduate and Graduate Councils, but is a review and facilitating mechanism)”

The Charter also contains a section (Art. 9, F. 3) related to program development and approval that would imply governance over course development and approval.<sup>9</sup> This section is listed on the Faculty Senate website as being part of “curriculum development”. In this section,

The CBA states among its “Basic Principles of Shared Governance”:<sup>10</sup>

1. “The primary role of Bargaining Unit Faculty Members is to provide effective teaching and scholarship or creative work. It is recognized that members of the faculty are uniquely qualified to participate in the governance of the University, particularly with respect to academic matters.”
2. “The University and the BGSU-FA agree that it is mutually desirable that a collegial system of shared governance be maintained so that all BUFMs shall have an appropriate role in the governance of the University.”
3. “The University and the BGSU-FA agree that both Parties share the common belief that effective shared governance depends on timely communication and appropriate consultation, through the Faculty Senate or appropriate bodies, on

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<sup>9</sup> (iii) Program and Policies Approval

The proposal to create a new undergraduate degree program may originate with a group of faculty members or with the administration. Detailed proposals shall be submitted to the Dean, the Provost and the VPFA. Proposals shall include all necessary and adequate supporting facts and documentation, as well as a realistic resource statement. The Provost, in consultation with the VPFA as necessary, shall prepare a resource impact analysis of the proposal and forward it to the FAAC for review and comment. The resource statement, impact analysis, and the FAAC review shall accompany the proposal throughout the review process.

If supported by the Provost, the proposal shall then be submitted to the department chair/school director of the affected unit for review and approval by the chair/director and the faculty of the department, school, or program concerned and any curriculum council of the department/school. The department chair/school director shall then forward the proposal and supporting materials to the appropriate curriculum council of the college for approval and transmittal to the college dean. After approval, the dean returns the proposal and supporting materials to the proposal initiators, who then transmit the proposal and supporting materials to the Undergraduate Council.

If the Undergraduate Council approves the proposal, it is then forwarded to the CAA for review. The CAA reviews the proposal and transmits it to SEC, with comments, for consideration by Faculty Senate. When a program or policy has been approved by the Faculty Senate, it shall be forwarded to the Provost.

<sup>10</sup> CBA Art. 10, 1.2, 1.3, 1.4 and 2.1.

policies and initiatives affecting the academic mission of the University.

In its description of “Faculty Participation in University Governance” the CBA states:

The University and the BGSU-FA agree that in those areas affecting BUFMs that are not specifically addressed and resolved through the collective bargaining process, both Parties to this collective bargaining agreement shall recognize the Faculty Senate as the primary governance body through whom the BUFMs shall exercise shared governance. The Faculty Senate and the BUFMs shall continue in their traditional roles regarding the academic affairs of the University, including such fundamental areas as: (a) curriculum, (b) subject matter and methods of Instruction,

The Provost’s Office Guidelines for Curriculum Modification as stated on the “Blue Sheet” state:

1. “Any change that has a substantial impact on programs or students will require Undergraduate Council approval.”
2. “All proposals are circulated to the college offices for review... Anticipating that review, the person initiating the proposal should identify any academic units that may have a specific interest in the proposal.”
3. “Most course changes, including creation of a new course, do not require approval by the Undergraduate Council. The exception is when a course change has broad impact, and affects students in programs in other department and programs.”
4. “When the content of a proposed course substantially overlaps another discipline, the department proposing the new course should submit letters of endorsement from the chair of the department(s) with an interest in the proposed courses.”

The College of Arts and Sciences Curriculum Development Guidelines include language relevant to course approval:<sup>11</sup>

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<sup>11</sup> Chairs and Director’s Handbook, Section 5.3 (Apr. 10, 2019)

1. “Principles...curricular change in Arts and Sciences, from incremental single course changes to a new or revamped program, will be mission-guided, student-focused, faculty-driven, and research-informed.”
2. “Practices... At minimum, proposals should be discussed and endorsed by the unit faculty curricular advisory body and the unit head when they come forward to the College. At the College level, proposals for new programs, new courses, or course or program changes of significant scope and impact are reviewed by the Arts and Sciences Curriculum, Teaching, and Learning Committee (CTLTC) and the associate dean for curriculum development (on behalf of the Dean).”
3. “New Courses... A course proposal is, in effect, a program proposal. How does the proposed course reflect the program educational goals and advance the instructional mission of the unit? What need does it fill in the program or programs that it serves? How will it function within the program curriculum? What are the course outcomes? How do the course outcomes align with the program outcomes? (Is it time to revisit the program outcomes?)”
4. “Key Steps...Consult with other units: Other departments and/or schools will likely be affected in ways that they perceive as positive or negative. Consultation is important in both instances.” ”

## Conclusions and Recommendations:

### 1. Unclear Language Governing Administrative-Developed Courses

It is a clear and uncontested principle, restated in both the Academic Charter, the AAUP Principles, the CBA, and the HLC policies, that the faculty control the curriculum of the university. However, how this possession is regulated is unclear in BGSU’s governance documents.

The Academic Charter regulates programs and broad curricula, not individual courses or course development. Therefore, language granting the Undergraduate Council the power to review the curriculum does not appear to extend to the level of individual courses, except as those courses constitute a program.

According to the administrative rules stated in the guidelines contained in the “Blue Sheets” used to initiate the process of course approval new course proposals do not necessarily

have to be submitted to the review of the Undergraduate Council: “Most course changes, including creation of a new course, **do not** require approval by the Undergraduate Council. The exception is when a course change has broad impact, and affects students in programs in other departments and programs.”

The logic of this point is that new courses will be initiated by faculty from individual departments and reviewed by their peers. However, this model breaks down when the initiative and planning for a new course is undertaken by an administrative rather than an academic unit.

Clearly, there needs to be language added to the Academic Charter that regulates the administration’s power to craft courses so as to ensure that faculty from relevant disciplines control the curriculum in their fields.

## 2. Absence of Regulation of “Pilot” Courses

The administration interpreted the existing governance documents to require faculty approval for the course to “become a graduation requirement” but did not believe such review and approval was required for a “pilot”. Given that no effort was made to submit the course for review by the Undergraduate Council or the BGP Committee in a timeframe that would have allowed for this process to be completed prior to Spring 2022, it appears that the administration believed a “pilot” could be offered and then submitted for faculty review and approval at a later date.

This was stated explicitly by Provost Whitehead at the meeting of the Faculty Senate on Dec. 7, 2021 when he explained his vision of the process of adopting BGSU 1914. “we said okay we're going to pilot in the spring and okay if you're going to do a pilot you want to get some data... You get to do the pilot. After, first of all we can only offer the course after its approved through the curricular process, then, we get that approved, then you see... Get student input, by offering a subset a small a small number relatively small number of sections, so you can get that feedback to see it, the course design is... to get the course approved through the curriculum process you run a pilot okay get the feedback...” (It should be noted that at the Townhall Meeting of Dec. 17, 2021, Provost Whitehead reversed himself and said pilot courses needed to approved before being offered.)

We strongly recommend that the Academic Charter be amended so as to clarify that pilot courses may not be a loophole through which the administration can create and offer courses of its own design and bypass the faculty.

## 3. Administrative Violation of Existing Governance Principles

It is clear from the facts as stated by representatives of the administration themselves that the concept of BGSU 1914 was initiated from either the President or the Provost and carried on for at least nine months without faculty input. It is also clear that this was a program whose scope would have a significant impact on existing programs, especially the cultural diversity courses at the introductory level delivered by various academic departments. Through this period no effort was made to consult with departments or faculty in the programs who have primarily taught courses in diversity and inclusion. While there may have been an intent to make such consultations at some later point in the process of approval of these courses, the exclusion of faculty from such a potentially impactful revision of the curriculum is unacceptable.

However, there are no existing clauses in BGSU's Academic Charter that specifically restrict or regulate the administration's ability to develop courses without consulting faculty from relevant disciplines and fields. Such restrictions are implied but not spelled out. Moreover, the administration never completed planning for BGSU 1914 and never offered a BGSU 1914 course and has publicly announced that such a "concept" has been "canceled". Therefore, we do not find that the administration violated the letter of the Academic Charter in any actionable manner, though we are of the opinion that their actions were a violation of its spirit, and had they not been interrupted by the Faculty Senate the course they were pursuing would have violated its letter.

## 4. Recommendations

We recommend that:

1. Faculty Senate should develop and add new language to the Academic Charter clarifying the proper role of the faculty in developing and modifying courses.
2. Such a revision of the Charter should make clear that course development is a faculty right and responsibility and that the administration's role in course development is limited to review, comment, and approval.
3. The ability of the administration to develop and offer courses as part of a "pilot" program needs to be curtailed and such "pilot" courses need to be offered under existing "topic course" designations controlled by various academic units.
4. Senators should consider the question of the extent to which non-credit courses or one-credit orientation courses should fall under the scope of academic departments when their content and purpose is not related to specific disciplinary content.

Unanimously approved by the Ad Hoc Committee:

Dr. Sheri Wells-Jensen, Associate Professor, Linguistics and TESOL, Department of English

Dr. Brent Archer, Associate Professor, Department of Communication Sciences & Disorders

Dr. Apollos Okwuchi Nwauwa, Professor, History & Africana Studies, Department of History

Dr. Nancy Carol Patterson, Professor, School of Teaching & Learning

Dr. Vibha Bhalla, Associate Professor, Department of Ethnic Studies

Dr. Timothy Messer-Kruse, Professor, Department of Ethnic Studies