

The nineteenth meeting of the Committee of Six for the academic year 2020–2021 was called to order by President Martin via Zoom at 1 P.M. on Thursday, December 3, 2020. Present, in addition to the president, were Professors del Moral, Kingston, Leise, Manion, Trapani, and Umphrey; Provost and Dean of the Faculty Epstein; and Associate Provost Tobin, recorder.

The meeting began with Provost Epstein informing the members that she expects that the Committee on Educational Policy (CEP) will soon forward to the Committee of Six the proposal to revise the spring 2021 academic calendar, which she had mentioned to the members previously. The provost said that, while she has argued for a start date toward the end of February, the CEP seems to be leaning toward a start date in mid-February. She understands that many students are eager to return to campus, and that they would prefer that the end of the semester not extend too far into June, particularly since they want to be able to pursue summer opportunities. Professor Kingston asked whether the CEP has considered the idea of relaxing the constraints on the January term schedule, in the event that the spring term starts later than originally planned. He would welcome having such flexibility, he said, since the current schedule is very compressed. Provost Epstein responded that this idea had not been discussed. The provost noted that the intention is to have the faculty vote on the spring calendar proposal at the December 15 faculty meeting, and to inform students soon after, if a new calendar is approved.

The committee discussed some topics that had been raised at the December 1 informational meeting for faculty, which the members had held to discuss the committee's proposal to amend the [Statement of Academic and Expressive Freedom](#). The members noted the many thoughtful questions that had been asked, and it was agreed that the meeting had been productive. On the topic of the inclusion of *protected class* in the proposal (see the end of these minutes), the members agreed to retain this language, noting once again that it offers the advantage of clear definitions and is consistent with the college's non-discrimination policies. Some faculty had noted at the meeting that the language is legalistic and is based in employment law, and one faculty member had suggested substituting "minorities and other historically underrepresented groups." Professor Trapani commented that, while the college's non-discrimination statement, which includes a list of the protected classes, now appears at the end of the proposed revision to the Statement of Academic and Expressive Freedom, it could be helpful to make the language more explicit. Perhaps it would be useful, he noted, to say that the categories listed in the non-discrimination statement are, in fact, the protected classes referenced in the committee's proposal. In regard to a question asked at the meeting about Amherst's guidelines that lay out the time, place, and manner in which the college can restrict speech, and the consequences of impinging on the limits that have been set, President Martin pointed to Amherst's [policy on protests and free expression](#) and [Statement on Freedom of Expression and Dissent](#).

Conversation turned briefly to the question of when the bias-reporting and response protocol would be shared with the community. Most members agreed that it would be desirable to share the document as soon as possible, and definitely before the December 15 faculty meeting. Professor Trapani stressed the importance of making it clear that the bias-reporting system does not cover course content, is not adjudicative, and does not impinge on academic and expressive freedom. The other members concurred. It was noted that, while a faculty member might be invited to participate in a restorative practice if a concern is raised about something that might have been said in a classroom, the purpose would be educative and participation would be voluntary. The members agreed that it is important to remember that the scope of the protections provided by academic freedom are broad and cover many areas beyond the classroom, including, for example, bringing speakers to campus who may hold controversial views. President Martin said that she would check in with Professor Hart to see whether the bias-reporting document is now complete. She knows that he has found the Committee of Six's suggested revisions of the document, which she understands have been incorporated, to be very helpful.

The members then turned to personnel matters. The meeting ended with a brief conversation about the issue of attribution in the committee's minutes, as some members had expressed the desire for more attribution under particular circumstances. With little time remaining, the members decided to return to this topic at the next meeting.

**Language of the Committee's Proposal to Revise the Statement of Academic and Expressive Freedom**

Even the most vigorous defense of intellectual and creative freedom knows limits. The college may properly restrict speech that, for example, is defamatory, harassing, invades a protected right to privacy or confidentiality, constitutes incitement to imminent violence, or otherwise violates the law. **IT MAY ALSO RESTRICT DISPARAGING OR ABUSIVE SPEECH (E.G., RACIAL EPITHETS) DIRECTED AT AN INDIVIDUAL OR GROUP BASED ON THEIR ACTUAL OR PERCEIVED AFFILIATION WITH A PROTECTED CLASS, AND FOR WHICH THERE IS NO REASONABLE ACADEMIC, EDUCATIONAL, OR ARTISTIC JUSTIFICATION. THE COLLEGE** ~~it~~ may place reasonable limitations on the time, place, and manner of expression, and may restrict speech that directly interferes with core instructional and administrative functions of the college. But these restrictions and limitations must be understood as narrow exceptions to the college's overriding commitment to robust open inquiry (voted by the faculty, May 3, 2016).

*Amherst College subscribes fully to the AAUP statements of principles on academic freedom published in 1940, and assumes that faculty members know their rights and their responsibilities as members of the academic profession.*

The meeting adjourned at 2:30 P.M.

Respectfully submitted,

Catherine Epstein  
Provost and Dean of the Faculty