

The fourteenth meeting of the Committee of Six for the academic year 2020–2021 was called to order by President Martin via Zoom at 12:30 P.M. on Friday, November 6, 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 a brief discussion of ways in which the common teaching evaluation form might be customized for co-taught courses, a conversation prompted by a proposal that the biology department had sent to the provost. (Last year's Committee of Six had also discussed this topic, which had been raised by the Consultative Group for Tenure-Track Faculty.) In advance of the meeting, the biology department had provided a sample evaluation form for one of its co-taught courses that had been adapted so that separate evaluations could be solicited and extracted easily for each faculty member. Professor Kingston, who had chaired the Ad Hoc Committee for the Development of a Common Form to Evaluate Classroom Teaching in 2019, noted (for reference) that the ad hoc committee had offered some [recommendations about the use of the common form for co-taught courses](#). He expressed the view that what the biology department has designed is consistent with the common form, and noted that the introductory paragraph should be the preamble/framing of the common form. The committee concurred that the customization proposed by the biology department represents a reasonable solution for its co-taught courses going forward.

The members turned next to a discussion of a revised version of the bias-reporting and response protocol and related materials, which had been shared with the committee prior to the meeting. The protocol has now taken the form of a handbook, it was noted. According to Professor Hart, who had forwarded the documents on behalf of the Committee on Diversity, Equity, and Inclusion, the handbook has been designed to "outline in a single document the mission, intention, and structure of our bias protocol, how it sits adjacent to the college's statement on academic and expressive freedom, and connects to the Center for Restorative Practices."

The members engaged in a wide-ranging conversation about the protocol document, expressing concerns, once again, surrounding the clarity and specificity of some of the language and processes; the illustrative scenarios included in the proposal; and the complexity and vagueness of aspects of the proposed system. Some members also wondered why the approach to developing a system for Amherst seems to rely on reinventing the wheel, rather than drawing on, as models, similar systems that have been in place at other institutions. Provost Epstein commented that those who have been working on the proposal have been trying to build a system that they feel makes sense for Amherst. President Martin commented that the leadership of the Black Student Union, when recommending that Amherst adopt a bias-reporting and response protocol, had examined some systems at other institutions, including the University of Chicago. She believes that the colleagues who are developing Amherst's proposal have also done so. Some members expressed the view that the protocol has not been thought through sufficiently, and that the feedback that the members had provided is not reflected in the revised document. Some members commented that they are unclear about the role of the Committee of Six vis-à-vis the proposal. If the idea is for the committee to endorse the protocol on behalf of the faculty, some members said that they would feel uncomfortable doing so at this point. The ways in which a bias-response and reporting system might intersect with academic freedom and classroom content is a significant concern for the faculty, the members pointed out. They agreed that, within the document, it should be stated clearly that classroom content is protected under academic freedom and is not covered under the proposed system, if this is the case.

Continuing the conversation, Professor Umphrey raised some concerns and questions. First, she said that she has a broad concern that the introduction of restorative practices at the college is apparently being limited to addressing incidents of bias. In her view, this tack could appear to limit the potential for restorative practices to have a more far-reaching impact at the college. Professor Umphrey also expressed continuing concern about the risk of tenure-track faculty (in particular) feeling vulnerable and anxious in the classroom, if the proposed protocol were to be put in place. Under the envisioned system, it appears

that faculty could be reported anonymously for something that they might say or do, including in the classroom. As a result, there potentially could be a chilling effect on the content that some faculty might teach, Professor Umphrey fears. The committee also shared the view that there is a lack of clarity within the proposal about what kind of complaints can be brought under the proposed system. The scenarios that were provided do not convey a sense of how the ways in which the most challenging situations that might arise would be addressed, the members concurred.

Discussion returned briefly to the topic of restorative practices. Some members wondered what would happen if an individual refuses to join a restorative circle, even if it is determined that harm has been caused through the person's actions. President Martin responded that she does not think that a restorative circle would work if an individual is unwilling to engage in the process, but that other restorative practices could. The members also wondered about whether confidentiality might be a problem, particularly if those involved have unequal statuses. Some thought that the circles might work best if those involved have relatively equal statuses, and if the number of participants is kept small. President Martin commented that restorative practices encompass more than just circles. One-on-one discussions can take place between parties, facilitated by a trained administrator, for example. At times, the president said, the emphasis within a restorative practice will be to support a person who feels harmed, even if the episode that the individual had reported does not appear to the review team to rise to the level of bias, and/or nothing restorative can be done that includes the person who caused the harm. Professor Kingston reiterated his concern that the proposal mentions "other methods" of addressing incidents that cause harm, but does not make clear what these methods would be.

Returning to the topic of the role of the Committee of Six in relation to the proposal, Professor del Moral expressed the view that the Committee on Diversity, Equity, and Inclusion, of which she is a member, needs more concrete feedback on the proposal from the Committee of Six. Provost Epstein agreed that having specifics to provide to the committee is important. The members agreed that the protocol should make clear what forms of identity-based harm will be addressed under the protocol, how it will be proven what harm has taken place, and who will determine what constitutes harm. The committee also expressed the view that the issues surrounding adjudication are not clear in the document, and that processes, and how they will work, are vague. Professor Manon raised the question of how other college policies, including the new non-discrimination and harassment policy relate to the proposed protocol.

President Martin responded that bias incidents will be handled through restorative practices, not adjudication. If it is determined that harassment and/or discrimination, as defined by Title IX or Title VI, has taken place, the relevant grievance processes for faculty, staff, and students that are already in place will be used, she noted. If a student's conduct violates the honor code, it will be treated as such by student affairs. She reiterated that some editing of the bias protocol document could help make the definition of a bias incident clearer to those who have not been involved in the discussions that have occurred in the Committee on Diversity, Equity, and Inclusion. Provost Epstein commented that those who have been working on the protocol are waiting to learn more about the Committee of Six's proposal to amend the Statement of Academic and Expressive Freedom. They will then think further about some of the possible intersections of academic freedom and the proposed protocol.

In regard to including examples in the protocol, President Martin said that it appears that the protocols of peer schools typically do not include them, which makes sense to her. She believes that some of the confusion about the bias protocol can be addressed by making some of the language more straightforward, and by shortening the document. The president agreed to discuss the issues that had been raised with Professor Hart and to review the document in detail with him and Norm Jones, chief equity and inclusion officer, suggesting edits based on the committee's discussion. The committee agreed to review the revised version of the protocol when it is completed.

In the short time remaining, the members returned to a discussion of their preferred approach to minuting the committee's meetings. The committee continued to agree that the minutes should become less detailed and more concise. Conversation focused on whether there should continue to

be some individual attribution in the minutes, as a matter of sound faculty governance and transparency, and to offer consistency in the presentation of individual members' lines of argument (including when members change their minds about an issue over time). In the end, the committee agreed that there should be a presumption of attribution when the committee discusses significant matters of policy, notably when the members are presenting a range of viewpoints on a subject, in particular when there is disagreement regarding these ideas. Rather than adopting rigid rules under which attribution would be required, however, the members agreed to navigate questions surrounding the need for attribution flexibly, as discussions unfold.

The meeting adjourned at 2:00 P.M.

Respectfully submitted,

Catherine Epstein
Provost and Dean of the Faculty