



CASE STUDIES

2019 EDITION

Nothing highlights the dean's role as problem solver more than case studies. From a number of submissions, we have assembled a set of six case scenarios, posing a variety of challenges for the dean. You, along with the others in your group, will have a chance to discuss and decide on solutions to each thorny situation. We hope you will find them to be worthy challenges to your decanal skills.

Case study sessions will be held on Thursday afternoon at 1:45 and Friday morning at 10:45. Registrants will not be assigned a room; ample seating will be provided and individuals will go to a room with seating availability.

Please familiarize yourself with the cases prior to this time. Who are the key players, what are the key facts, and what are the critical issues? The case study session leader will take the group through the set and, after discussing each case, share the actual outcomes.

Thanks in advance for your interest and participation!

CCAS Annual Meeting Program Committee

Empowering Deans to Lead

CASE STUDY #1

Mid-State University is a comprehensive state institution offering Bachelors and Masters degrees in a range of traditional fields. The College of Arts and Sciences is home to the History Department.

Dean Forbes was contacted immediately following the end of the spring term by the Chair and faculty member of the department. They are concerned with in-class behaviors exhibited by a student, and somewhat more concerned by the response provided by that student

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on the end of semester assessment of teaching. The student has been argumentative and inflexible during class discussions, and on the assessment of instruction made reference to photographs viewed by the class as part of in-

structional content. Specifically, the student stated that the artist producing the photographs was a degenerate, and that such degenerates belong on a cross.

Hearing the concerns of the faculty member and Chair, Dean Forbes refers them to the Office of Dean of Students. The Chair and faculty member visit with the Dean of Students and provide statements from additional faculty members within the department attesting to ongoing concerns regarding this student's behavior over the past few years. Generally, they view the student as threatening and intimidating, although no specific or clear threat has been aimed at faculty members or other students can be recounted. The Dean of Students examines the information and materials and reaches the conclusion that the student has done nothing to warrant any sort of disciplinary action, nor has he violated the student code of conduct.

The Department Chair and faculty members from within the department have now returned to Dean Forbes asking that something be done to ensure their safety. The Dean agrees to have the student come into her office and discuss the concerns. Upon the student's arrival, the Dean is struck by his body language. Waiting in the outer office, the student sits erect, hands on knees and staring straight ahead. When the Dean approaches the student and invites him into the office, the student

offers no conversation and upon entering the office once again sits erect in the chair staring at the Dean. Dean Forbes explains the reason for the visit and the nature of the concern expressed by some within the Department. She asks why the student chose to use such vitriolic language in his course assessment. The student responds that he has a constitutional right to free speech, and that he will continue to exercise that right. Dean Forbes points out that some may view the student's comments as a form of hate speech. The student cites a number of what he views as 'legal precedents', and states that there is no such thing as hate speech, only free speech and that he has that right as does everyone else. During the entire discussion, the student stares directly at Dean Forbes without changing his gaze and without blinking. He sits stiffly with his hands on his knees.

After additional discussion, the student offers to show where he got the offending phrase. He produces a screenshot from a video game in which one of the characters refers to another as a 'degenerate' and suggests that this opponent belongs 'on a cross.' The Dean dismisses the student after warning him that there are always limitations on free speech, especially when that speech is viewed as a direct threat to others. The Dean suggests that the student find a somewhat milder and less intimidating means of expressing his views. The student does not agree. ❖

DISCUSSION QUESTIONS

1. Based upon the information provided in this study, do you believe the Chair and faculty members have reason to be concerned with this student's behavior?
2. Given the response of the Office of the Dean of Students, was Dean Forbes justified in meeting with the student to discuss the issue?
3. Going forward, what might be done to allay the fears and concerns of the Department Chair and faculty members?
4. What other rights may be involved in this situation aside from the student's self-proclaimed right of free speech?

CASE STUDY #2

The College of Liberal Alchemy is the largest college in the University of Spells and Metallurgy, a large public research institution nestled among bucolic hills and dales somewhere in the United States.

One bright and sunny day at the beginning of fall semester, the Associate Dean of Faculty received an email from a senior faculty member in the Department of Turning Dross into Gold. This professor was furious with the Associate Dean for allowing the grade of an undergraduate student in his previous fall semester's course — Rose Gold is the Future — to be changed

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without his consultation or approval. In a subsequent meeting between the Associate Dean and the professor he stated that the student failed the course because she was lazy and unengaged and did not do the work required.

The Associate Dean explained that the student had followed the University process for grade disputes by writing to the professor immediately after the grades were posted to ask that he reconsider her final grade.

After repeated failed attempts to connect with the professor, the student contacted the Department Chair and the Director of Undergraduate Studies and asked them to review the submitted work. The student also contacted the Student Dispute Resolution Center to ask for their help.

In addition to the grade dispute, the student alleged that the professor had treated some students in the course, who were from the same under-represented group as the professor, differently and unfairly from the majority students who made up the rest of the class. The Chair and the Director of Undergraduate Studies attempted to contact the professor by phone and by email but there was no response. The Student Dispute Resolution Center was successful in contacting the professor but the response was that the grade would not be reconsidered. The professor admitted that he had received the emails

from the student and from his colleagues but he had no time for such foolishness particularly for a student who did not deserve a second chance and he was on phased retirement and was not obligated to “work” during the semesters he was not on campus. The Associate Dean explained that she had advised the Chair and the director that under the circumstances, the policy allowed them to reconsider the grade.

In the meantime, the student rallied the other students from the course and brought an allegation against the professor through the Office of Equal Opportunity and Affirmative Action for discrimination. The EOAA found no basis for discrimination but encouraged the Department Chair to reconsider the grades of all the under-represented students in the course. The Chair and Director reviewed all of the previously submitted work, allowed the students to write and submit new final papers and ultimately assigned a higher grade to all of the under-represented students.

At a subsequent meeting with the Provost, the Associate Dean, the Assistant Dean, the Chair and the Director of Undergraduate Studies, it was decided that the new grades would stand but that the EOAA had overstepped their authority by directing the Department Chair to review the grade of the under-represented students in the course. The professor asserted that changing the grade amounted to grade fraud and he would be retaining an attorney to force the University to return the original grades. ❖

DISCUSSION QUESTIONS

1. Should more efforts have been put into contacting the professor and what would those be?
2. Did the Associate Dean make the right call to have the grades reconsidered by the Chair and the Director? What could she have done differently?
3. Did the Chair and director act appropriately?
4. What about the actions of EOAA; how should the college have responded to their findings?

CASE STUDY #3

Old Sod State University is a regional comprehensive state university. Each year the College of Liberal Arts invites applications for a Faculty Excellence Award. When an award is made, the recipient receives benefits for three consecutive years. Applicants are required to develop and submit project proposals which, if supported would aid their own scholarly development as well as their pedagogical abilities. Significant benefits are attached to the award: reduced teaching load, guaranteed summer employment, \$4000 per year for travel and professional development and \$5000 per year as a salary stipend. At the end of the three-year period, if goals established by the faculty member have been met to the satisfaction of the Dean, the salary stipend may be added permanently to the recipient's base.

Three years ago, Dr. Puckett — Associate Professor within the Department of History — was the recipient of the award. For many years Dr. Puckett served as Director of OSSU's Women, Gender and Sexuality Studies Program in addition to her work within the academic Department. The proposal for which she received funding related to growth and development of scholarship within that WGSS program. A year after receiving the award, Dr. Puckett resigned as Director of WGSS, citing personality conflicts and a workload that was unsustainable. Rather than forfeit the Excellence Award, the Dean permitted Dr. Puckett to restructure her proposal, focusing upon her own professional and scholarly activities.

Dr. Puckett provided a proposal outlining travel, research, and publication that would result from continuation of the award. This restructured award was approved. During the three-year term of the award, Dr. Puckett was also granted a one semester sabbatical leave to focus on her research and publication.

Dean Walker became concerned when evaluating Dr. Puckett's semiannual FEA updates; he noted much travel and what appeared to be frantic activity, but little in the way of actual publication. He shared his concern with the Chair of the Department of History, who confirmed that there seemed to be little substantive progress toward completion of the goals set forth for the award. The

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Chair discussed the situation with Dr. Puckett, who assured her that publications were, indeed in the works. The three-year award period recently concluded. Dean Walker requested from Dr. Puckett a final wrap-up report that might be used to help make a determination regarding continuation of the salary stipend. Dr. Puckett responded that, while the award and related opportunities had been extremely beneficial, she had not yet achieved publication of books, book chapters or journal articles, and therefore believed that she likely would not be eligible for continuation of the stipend.

The Dean concurred and thanked her for her work during the period of the award. One month later Dean Walker received from Dr. Puckett a voluminous report detailing extensive travels, papers read at professional meetings and extensive research undertaken in formidable academic libraries. Dr. Puckett asked that Dean Walker revisit her decision to remove the stipend from Dr. Puckett's base salary. ❁

DISCUSSION QUESTIONS

1. Did the Dean make a mistake in permitting restructuring of the Faculty Excellence Award proposal?
2. Would anything be gained were the Dean to permit extension of the award for a year to try and achieve some level of publication? Would the Dean risk raising the ire of other recipients/applicants who are held to the three-year time frame?
3. The present structure of the award requires semiannual and annual updates on activities. These updates are reviewed only by the Dean, and followed up with cursory responses to the Award recipients.

Would it be more beneficial to have a faculty committee review these updates and make recommendations to the Dean? Would the potential benefits outweigh the challenges of recruiting faculty members to serve on yet another review committee?

CASE STUDY #4

The University of Social Justice is piloting a new program this year which pairs the theme of the Senior Capstone course in General Education to a common read in First Year Experience (FYE). This is a joint venture between Academic Affairs, which is responsible for the capstone course, and Student Affairs, which coordinates the First Year Experience (FYE).

The University community agreed on the common read, *The Diary of Anne Frank*, as a good partner to the capstone's theme of human rights. FYE mentors are faculty or staff members from across the university who receive compensation for leading the FYE courses.

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Professor Jones is leading a section of FYE that is specific to students in her field — Childhood Studies. She is

excited about the partnership with the core capstone and has never read the Anne Frank book. Towards the end of the summer, Dr. Jones contacts the General Education committee to report that she is having trouble reading the Anne Frank book and feels the committee should choose a “more uplifting” text. She is concerned about exposing college freshmen to something so disturbing.

The Gen Ed Chair, Dr. Green, encourages her to finish the book and then come to discuss ways in which this reading material can foster important conversations among college students. Dr. Green also reports this problem to the Dean. The Dean assures Dr. Green she has given Dr. Jones good advice and wants to be kept in the loop about this issue.

Just before the semester begins, Dr. Jones again contacts Dr. Green to complain about the book. She refuses to finish the book and states that she will tell her students not to read it. In meeting with the Dean, Dr. Jones reports that her great grandfather was Jewish and that she is personally disturbed by the book. The Dean, who is also Jewish, discusses the importance of remembering and discussing difficult periods of history to avoid future events of the kind. Dr. Jones is adamant that she will not use the book in her FYE class. The Dean

reminds Dr. Jones that the book has been approved by the President's Cabinet and the General Education Committee. She points out that this book is commonly read in high schools in the area on their summer reading lists.

Because the class falls under the umbrella of Student Affairs and not Academic Affairs, Dr. Jones asserts that the Dean does not have jurisdiction. The FYE coordinator does not feel that she has the authority to tell faculty what to do in the classroom as Dr. Jones has invoked academic freedom in this case. ❀

DISCUSSION QUESTIONS

1. Who has the authority to make a decision in this case? What is the best solution?
2. Does Dr. Jones' assertion fall under the category of academic freedom? Of censorship?
3. How do we, as academics, assure that our curriculum does not get whitewashed to avoid “triggers?”

CASE STUDY #5

Green Valley State University is a private university offering a broad range of Bachelors degree programs. Among the departments within the College of Liberal Arts is the Department of Art.

Dean Brand was enjoying a 2nd cup of morning coffee when he was contacted by the University Attorney. The State Department of Health had contacted the Office of University Counsel to make them aware that a Facebook video was circulating purporting to show a GVSU art student receiving a tattoo in a class taught within the

department. The video was apparently made by the student receiving the tattoo, who streamed the process on Facebook Live.

The Department of Health raised questions about the Art Department's certification to provide tattoos, as well as safety/sterility concerns. The Dean located

the video and contacted the Chair of the Art Department to see what had happened. The Chair indicated that she would investigate and get back to the Dean.

Two days later the Department Chair contacted Dean Brand with this information: the incident had, indeed taken place within an art class. The individual providing the tattoo is well known locally, and does a great deal of this sort of work. The issue became more complex when the Department Chair informed the Dean that this was not the first such incident within the Department. Two other similar incidents had been identified, one in which the artist tattooed his own body, and one in which the artist provided a tattoo to the course instructor.

Dean Brand met individually with each of the three faculty members involved, and discussed the purposes and educational validity of offering tattoos within an academic class. He inquired about safety precautions and health protections provided during the process of tattooing. All the faculty members were forthcoming and open regarding the activities. It seemed clear that the second and

third incidents — which took place in the classrooms of an Assistant Professor and an Instructor, respectively — were an outgrowth of the initial incident, which had occurred a semester earlier in the classroom of a tenured Professor. All three faculty members defended the educational/artistic validity of the tattoos, and none had considered the possible need for safety or sterility measures.

Additionally, since GVSU is not licensed by the state to provide tattooing services, the activities were in direct violation of state law. None of the faculty members were aware of this legal restriction. During this period, the University — through the office of General Counsel — was developing an acceptable response to questions raised by the State Department of Health.

The University's internal investigation, led by Dean Brand, determined that in all three instances tattoos were provided by the same individual. Though difficult to ascertain, it was finally determined that the individual was not licensed within the state, and was not working out of a licensed tattoo studio. While understanding that safety and sterility precautions may not have been precisely followed during the process, all three faculty members suggested that there is educational validity to the process of inscribing bodies with what they view as individual art. The only student involved in the process — the one featured in the Facebook video — willingly volunteered for the procedure and was particularly pleased with the outcome. ❖

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DISCUSSION QUESTIONS

1. Is it problematic for a tattoo artist to tattoo a consenting adult in the art classroom or studio setting on a university campus? Why or why not?
2. If problematic, how should faculty be held responsible for allowing this activity to take place?
3. What should happen to the tattoo artist and consenting adult? Does it matter whether either or both of these individuals is a student? What about a member of the faculty or staff?
4. Once this situation is brought to the attention of the Dean's office, who should be notified?

CASE STUDY #6

At a relatively small public research university all faculty members are part of a collective bargaining unit. A department in the social sciences offers mostly undergraduate courses, including multiple courses related to gender as a topic. The Chair is planning a required workshop for full-time faculty and adjuncts on inclusive teaching practices.

The workshop plan is prompted by reports from several trans and nonbinary students that they have been

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misgendered by faculty in the department. They say that their preferred pronouns have not been used. One report indicates that a faculty member persistently used the name on the roster that was associated with the student's former gender identity, even though the student asked the faculty member to use a different name. They stress that the misgendering was hurtful

and disappointing to them, especially in courses where gender issues were covered. None of the students wants to file a formal complaint against any of the faculty members.

The Chair consults with HR and the Dean about the workshop before announcing it to the department faculty. The Dean and HR support the plan, though the Chair does not mention to the Dean that the workshop agenda includes time set aside for attendees to revise their syllabi. This component of the agenda gives the impression that faculty members are expected to make syllabus adjustments reflecting what they have learned in the workshop.

The Chair's email announcement to the department indicates that future teaching assignments for adjuncts are contingent upon completing this mandatory workshop. Most department faculty are receptive to the workshop or at least willing to participate. Some faculty

members feel that the workshop is unnecessary because they are already fully aware of inclusive teaching practices. A few faculty members, both full-time and adjunct, object strenuously and publicly. They argue that the workshop interferes with academic freedom, violates the faculty contract, and shows the Chair's lack of respect for faculty governance. Tense discussion continues in many long emails and subsequently in a lengthy department meeting. Some of the emails are copied to the Dean and to faculty members in other departments who have research affiliations with this department. A fellow Chair who has a research affiliation is among those engaging in the public critique. The department Chair is about to meet with the Dean to discuss next steps. ❀

DISCUSSION QUESTIONS

1. How does the department Chair's decision to add syllabus revision to the workshop agenda affect the situation?
2. What other approaches might the Dean and the Chair have considered earlier? Pros and cons of these alternatives?
3. What are the Chair's options now?
4. What advice or feedback should the Dean give the Chair?
5. How, if at all, should the Dean address the fellow Chair's involvement?
6. The case does not identify the gender of the Chair. How might the Chair's gender matter?