

Setting the record straight

A day after ACTA put out a [press release](#) commending the Virginia Tech Board of Visitors for agreeing to undertake a comprehensive review of the university's tenure and diversity policies, as we requested in an earlier letter, representatives of the university wrote to us to object. The rector, who heads the board, denied that he had agreed to undertake a comprehensive review, saying, "The only statement I made was that any **change** in policy would have to be approved by the Virginia Tech Board of Visitors." The administration, via the University Relations department, explained that board members "would have nothing to review until it is presented to them for review." Since [Inside Higher Ed](#) published a short piece today on the disagreement over what was said during a telephone conversation between the rector and me, I believe this summary of our good-faith efforts to communicate productively with the board is in order.

After the National Association of Scholars brought to light Virginia Tech's controversial tenure policies and the Foundation for Individual Rights in Education wrote to the president, we wrote a [letter](#) to the board on March 27th, calling upon it to undertake a "full and immediate review - - at the board level -- of all policies relating to tenure, promotion, and diversity." We drew attention to both the proposed tenure and promotion guidelines of the College of Liberal Arts and Human Sciences and to several other related policies implemented by the university in recent years.

On April 1st, I followed up on the letter with a call to the rector. I left him a message and he called me back shortly thereafter. We spoke for several minutes and it was all very cordial. I repeated our concern that any review extend not only to the policy that had just been voted on by faculty, but also those already on the books. I asked if I were correct in understanding that the board would perform such a review. I also asked him whether the president and provost were aware the board intended to undertake the review. I took notes during the call.

Immediately after our conversation, I sent the following email to colleagues, in which I summarized what I asked the rector and reported our conversation:

Mr. Lawson says he does not know what the vote is but that no matter what the board will be reviewing all the policies as we have asked them to do and the President and the Provost are aware that the Board will be doing so. He says nothing can be changed before the Board approval. They understand our concerns in the letter and will look at them carefully. Best group of trustees he says and he has been there for seven years. He assures they will look at the policies in terms of legal matters and fairness and that they will review all policies as we request.

The following afternoon, on April 2nd, we faxed and mailed him a letter recounting the conversation. In the letter, we praised the board for deciding to undertake a "comprehensive review" and specified, once again, that the proposed CLAHS policies are "just one part of a web of policies that raise First Amendment and academic freedom concerns."

On the afternoon of April 6th, we sent the press release praising the board, whose language parallels that of the follow-up letter to the rector, to the media. A few hours later, we received a call from University Relations saying the rector disputed our account. The following morning, we received an email from University Relations demanding we retract our press release, as well as a four-sentence letter from the rector indicating he had said only that changes in policy would have to be approved by the board. For the reasons outlined here, we declined the administration's request.

ACTA's message has been consistent from the start: The board must review all policies. We made this clear in every communication with the board. The rector had four days between the time we faxed him our follow-up letter and the time we issued our press release to attempt to correct any perceived misunderstanding -- yet he did not.

All that said, it is important not to miss the forest for the trees. The board and the administration are both now saying that it is not the board's job to be asking questions and looking at things proactively. As I wrote in response to the *Inside Higher Ed* piece today:

Only in higher education would a governing board object to being publicly praised for promising to do its job. And only in higher education would an administrator insist, as one of Virginia Tech's did in an email to ACTA, that board members only examine what is "presented to them for review." This kind of rubberstamp governance would never be tolerated in the corporate world. Why should we accept it in higher ed, where taxpayer dollars and academic integrity are at issue? Virginia Tech administrators -- and the board itself -- seem to have forgotten that board members are the ultimate fiduciaries and are appointed to serve in the public interest. The university's tenure and diversity policies, as noted by ACTA, FIRE, NAS, and the student newspaper, raise serious First Amendment and academic freedom issues and warrant a careful review. Rather than look the other way, the board must undertake such a review.

Posted by Anne D. Neal on April 08, 2009 at 07:31 PM

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