

Implementation of 08.01 and 12.01 Changes

FAQs

Should universities implement/improve their course and syllabus review process?

Yes.

- Where a regular review does not exist, universities should establish a process for regular review and approval of courses to assess the course's relevance to the program's curriculum, fidelity to the body of knowledge in the discipline, and alignment with post-graduation needs of the students enrolled in the class.
- Universities should also regularly check compliance with Educ. Code 51.974 to ensure that accurate course information is publicly available, searchable and easy to locate online.

However,

- A university-level course review will supplement and not supplant the system-level course review.

Should there be variance in what is taught (and approved) based on the level of the course?

Yes. Curriculum is developmentally based. A freshman's academic experience should differ from an upper division student and that of a graduate student.

- Undergraduate Core
 - Core curriculum courses must be foundational and necessary to prepare students for civic and professional life. (Policy 11.06, § 2; Edu. Code 51.315(b))
 - Core curriculum courses must also comply with applicable federal and state law and system policies. These courses must not *advocate* race or gender ideology, sexual orientation, or gender identity. (System Policy 08.01, § 2.1.(b))
 - If there is a circumstance in which a core curriculum course should *address* race or gender ideology, sexual orientation, or gender identity, the university must be vigilant to ensure:
 - the content is fundamental to a sound postsecondary education;
 - the course complies with all legal and policy requirements; and
 - the course does not *advocate* race or gender ideology, sexual orientation, or gender identity.
- Undergraduate Non-Core
 - The body of knowledge for the discipline and the workforce or graduate/professional study needs of the students after graduation should be considered in assessing the appropriateness of material for a course.
 - Advocating race or gender ideology, sexual orientation, or gender identity is prohibited, unless the course and the relevant course materials are approved in advance by the university president.

- If there is a circumstance in which an undergraduate course should *address* race or gender ideology, sexual orientation, or gender identity, the university must be vigilant to ensure:
 - it is the student’s choice to take this course and is not in some way “required”, **and/or**
 - the course does not *advocate* race or gender ideology, sexual orientation, or gender identity.
- Graduate/Professional
 - Advocating race or gender ideology, sexual orientation, or gender identity is prohibited in all courses regardless of level, including graduate courses, unless the course and the relevant course materials are approved in advance by the University President.
 - These topics can and should be addressed/taught in appropriate disciplines when part of the discipline’s body of knowledge.
 - Teaching legal and medical material (e.g., Title IX, case law, medical procedures, etc.) is not prohibited when it is appropriate to the course and is consistent with the body of knowledge for the discipline.
 - When in doubt, seek the approval of the university president under System Policy 08.01, § 2.1(b).

Can faculty teach difficult and historically sensitive subjects, subjects that may evoke strong reactions?

Yes, such topics should be taught, as they are academically appropriate, empirically grounded, and essential components of the disciplinary knowledge. Use a reasonableness standard.

- Teaching difficult subjects is expected and the system policy does not prohibit it if it is related to the classroom subject and meets other system policy requirements. Faculty are expected to teach historically significant, empirically established, and discipline-grounded topics, even when these topics may be emotionally difficult or sensitive for some students. For example:
 - System policy does not preclude a course on U.S. History including information on slavery and its many impacts, including racism. We would expect our faculty teaching U.S. History to include this material.
 - System policy does not preclude a course on the Holocaust presenting its history and impacts. We would expect our faculty teaching WWII History to include this material.
 - System Policy does not preclude a course on human sexuality including material on same sex relationships. We would expect our faculty teaching human sexuality to include this material.
 - System Policy does not preclude a course on gender from including material on different perspectives on gender, including perspectives that some may not find agreeable. We would expect our faculty teaching gender courses to include this material.

- System Policy does not preclude a course on world religions. We would expect our faculty teaching world religions to include material on various world religions, including those less familiar in America.
- System Policy does not preclude a course on political science from examining government actions. We would expect our faculty teaching political science courses to study government shutdowns, aid to foreign countries, alliances, etc.
- System Policy 12.01, § 1.2, prohibits a faculty member from introducing a controversial matter that has no relation to the classroom subject or teaching material that is inconsistent with the approved syllabus for the course. Teaching grounded disciplinary content is always allowed; imposing personal belief or ideological adherence is prohibited.

What does it mean to “advocate?”

- To *Advocate* is when teaching and course materials extend learning objectives in a way that requires students to hold certain beliefs, and/or to ridicule certain beliefs. For examples in this context, to advocate is:
 - To lead, encourage, or require a student to feel personal shame over treatment of slaves in America; or conversely, to justify slavery in America as acceptable.
 - To lead, encourage, or require students to hold certain beliefs on same sex relationships or criticize/ridicule their beliefs on such relationships; or conversely, to criticize/ridicule or shame individuals who are in same sex relationships or are supportive of same sex relationships.
 - To lead, encourage, or require students to hold certain beliefs on gender identity whether the required belief is in two genders assigned at birth, or belief in many self-identified genders.
 - To lead, encourage, or require students to adhere to or embrace a specific religion, any religion, or no religion.
 - To lead, encourage, or require students to hold specific positions on political policies and actions, or ridicule those who may believe certain positions.
- Students’ beliefs on these matters (among others) will vary. The faculty can, should, and must teach difficult subjects for the students to know and understand different perspectives, but not for the student to hold specific beliefs on those subjects for purposes of grading, nor may students be ridiculed for holding beliefs contrary to that of others.

What happens when a class veers off the assigned material?

Apply a reasonableness standard.

- A student asks a question that is off topic: (all of these responses are acceptable)
 - Acknowledge the question and engage in a brief dialogue on the topic, perhaps including other students in the discussion.
 - Acknowledge the question and suggest willingness to discuss outside of class.
 - Acknowledge the question but redirect the focus of the class stay on the assigned topic.
- An event occurs the students find exciting or troubling but is unrelated to the course learning material. This could include sporting events, a speaker coming to campus, world events, traumatic events, etc.

- Acknowledge the event and, to the best the faculty member is able and feels comfortable, allow the students to share their excitement and feelings for a reasonable period of time, but ultimately return to the assigned materials as soon as possible.
- An event occurs that is consistent with the course learning materials but was unanticipated and not included in the syllabus.?
 - The faculty member can adjust to use the event in the classroom. These are remarkable learning opportunities. Faculty should understand and recognize different beliefs and perspectives among their students, but the discussion and change of focus is allowable as long as it fills a curricular purpose and contributes to fulfilling the course's learning outcomes.

What happens if a faculty member chooses to teach material that has been reviewed and ruled inappropriate for that course or level?

The faculty member would be subject to progressive disciplinary action consistent with a violation of System Policy.

- Just as there will be differences in judgment among faculty members when reviewing course materials, there could be differences in judgment between faculty in a program and the university president. The president's decision should be informed by faculty with expertise in the body of knowledge of the discipline, but ultimately the university president is the decider by policy.
- Willful failure to follow a president's decision will result in disciplinary action appropriate to the scope and scale of the action.
- Shifts in course content may occur either due to student interest or events occurring locally, nationally, or internationally. Faculty should consult with their department heads regarding such shifts to assure fidelity to the purpose of the course.

Is the faculty member accountable for student led and student selected projects that may focus on gender ideology, sexual orientation, or gender identity?

No. Not necessarily. Apply a reasonableness standard.

- The faculty member must remain neutral and avoid nudging the student or encouraging the student to pursue such topics in a course that is not approved for such a focus. However, if the student chooses to focus on one or more of these topics and the project meets the expected learning outcomes for the course, the student's choice is to be respected and the faculty member is expected to support the student's choice and is not otherwise prohibited.