

Facebook Post:

“I’ve said this elsewhere¹, so I’ll post it here, too. As one of the not anonymous targets² of this survey I can tell you that I, and the other women who filed (and won-at every level of the process³) the Title IX hostile work environment complaint on which this survey is based⁴, would be thrilled with some support on this. Every scenario⁵ in the survey is either a biased portrayal⁶ of what we claimed in our complaint, or it was given by the defense to show that we were the biased ones or that we were cognitively compromised in our judgment, or it was given as examples of how other people had done much worse so the behavior we objected to isn’t *that bad* in comparison to “real” hostile environments. Let me repeat again-we won³ at every stage of the process. Yet despite the conclusion of that process three months ago (after 9 months of the process) this is another attempt to silence us (and those like us)⁷. That said, if this kind of behavior by a colleague in response to losing a Title IX complaint⁸ is tolerated⁹ by the community, then this is certainly one way to make sure no one ever brings another Title IX complaint on this campus¹⁰. If you feel upset by this unethical use of students under the guise of “research”¹¹ or the not subtle attack on your female colleagues/faculty, please do more than write it here. If you want to know more ways to help, let me know.^{12”}

These are my questions and clarifications to the claims made in the post:

1. Where? Too whom? How Often?
2. “not anonymous target” – However. “anonymous” to nearly all potential survey respondents unless they read this message; “target” assumes malicious intent. Evidence?
3. “won at every level of the process” – This phrase reflects the grievants’ competitive framework throughout the administrative process. The claim itself is misleading: The original grievance contained about a dozen allegations against the respondent including: discrimination in hiring, discrimination in tenure and promotion, retaliation, and many incidents supporting a charge of discrimination by creating a hostile workplace environment. The levels included an investigation and hearings before a Campus Conduct Hearing Board & a Faculty Appeals Committee, and a final decision by the president. Of the four basic charges, only the hostile work environment was supported and of the many incidents alleged to have been violations, only three were found either not to be violations of college policy or not protected by academic freedom. In fact, the author of this posting was personally present for only one of the three incidents that were cited in the president’s final decision (i.e., an inappropriate joke told before a departmental faculty meeting two years ago.)
4. The survey sought to gather attitudes and opinions from the campus community toward hostile environments and academic freedom. The basis of the survey is as described in the survey instructions: [“Our hope is that in the process of taking it, you’ll become aware of the complexities, contradictions and complications of our commitments to integrity, inclusion, and academic freedom”](#) and explained more fully in [“Theoretical Basis for Survey”](#). The survey was not based on the scenarios, the scenarios were a

means to the goal of gathering information about individual perceptions and attitudes. About two thirds of the survey items presented scenarios, and of these, about half related to last year's Psychology Department Grievance. However, none of the individual names or the academic department were mentioned in the survey.

5. Not even close; only about half the scenarios were drawn from the Title IX complaint.
6. Since the scenarios were explained as being "hypothetical", some adjustments to actual events were made to probe particular attitudes and make distinctions. (This is why the results of the survey would not be directly relevant to any particular past or future administrative process or proceeding.) None of the alterations were intended to bias respondents in one way or another – they always had the six response choices ranging from strongly agree to strongly disagree. The results showed that respondents used all the options provided.
7. This is simply untrue. This survey was an attempt to focus campus awareness on issues relevant to current issues relating to academic freedom and hostile work environments. This broader consideration of the issues involved was intended to be more inclusive than the discussions that occurred within the confines of the administrative processes. The hope was that such conversations might create support for the development of effective diversity education programs rather than one that emphasizes training, compliance, punishment, and the suppression of free speech and academic freedom.
8. I was not the respondent on the case. I do not believe that I "lost" the case. I did observe many things about the current administration of the Title IX process and academic freedom that raised grave concerns about academic freedom and the quality of education at Berea College.
9. This message has characterized "this kind of behavior" as being a personal attack or vendetta and if that is what it was, then I agree that it should not be tolerated. The Faculty Appeals committee rejected the claim that the survey was "retaliation". I think the evidence strongly supports and most reasonable persons would conclude that conducting a survey is legitimate, ecologically-valid study designed to discover important information about the current culture and climate of the Berea College community. If one accepts this definition, the grievant's attempts to impede the study process are themselves inappropriate and reprehensible.
10. There is a way in which I will admit this is true. Developing an effective diversity education program could improve everyone's understanding of the importance of both safe environments and a strong commitment to academic freedom and a diversity of viewpoints and opinions. In such an environment, people would be able to openly express their opinions without fear of automatic censure or recrimination. Hurtful or ignorant comments could be heard and addressed directly and collaborative conversations might obviate the need for punitive *post hoc* administrative practices.
11. Again this characterization of the survey expresses a particular opinion or viewpoint but is not supported by other "evidence" and does not even consider the possibility that the research questions articulated above are legitimate and that the survey method used is

appropriate and of potential value to the development of greater awareness of these issues and the development of a diversity education program. While students were involved in the research project as part of a course involving industrial/organizational psychology, the allegation that they were “used” in an unethical manner is untrue. This message itself seems inconsistent with our Faculty Manual’s assertion that “the faculty member should at all times seek accuracy, exercise appropriate restraint, (and) show respect.” (Freedom as a Citizen). It also seems contrary to the community aspirations Statement contained in our College Catalog; Our *“community functions best when all members are doing everything possible to learn from one another, when all make charitable assumptions regarding the intent of others, and when all value rich dialog and commit to responsibility and sensitivity in their engagement with others”*.

12. The first two items on the survey asked whether it is acceptable for student groups to shout down or physically block access to the venue of a speaker whose ideas or opinions they believe to be hateful or hurtful. Although about 3/4 of the individuals who responded to this item disagreed, about 1/4 agreed. Shortly after the survey was put up, it was “hacked”. It appeared that the day after the survey it was available, someone with an understanding of the *Qualtrics* system was able to enter a blank response for all students, thus preventing them from participating in the survey. Nonetheless, the approximate 140 valid responses are sufficient to permit meaningful statistical analysis. It would be useful to know what was included in the “more ways to help” referenced at the end of the message.