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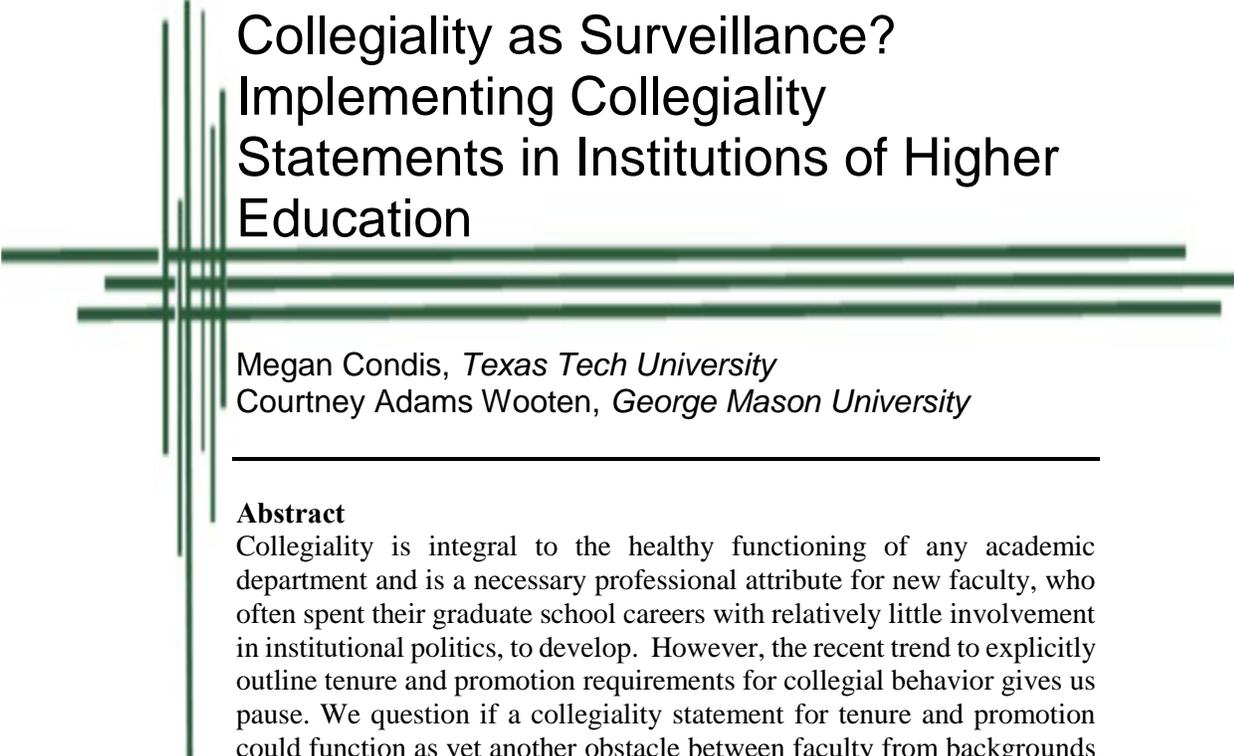
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# Collegiality as Surveillance? Implementing Collegiality Statements in Institutions of Higher Education

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## Abstract

Collegiality is integral to the healthy functioning of any academic department and is a necessary professional attribute for new faculty, who often spent their graduate school careers with relatively little involvement in institutional politics, to develop. However, the recent trend to explicitly outline tenure and promotion requirements for collegial behavior gives us pause. We question if a collegiality statement for tenure and promotion could function as yet another obstacle between faculty from backgrounds that have historically been underrepresented in the academy (women, people of color, LGBTQIA+ individuals, people with disabilities, etcetera) and their bids for tenure.

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Collegiality is integral to the healthy functioning of any academic department and is a necessary professional attribute for new faculty, who often spent their graduate school careers with relatively little involvement in institutional politics, to develop (Baker). Research shows that one “bad apple” in the workplace can drastically affect the productivity of a group (Gardner), and this can be especially dangerous for workplaces where personnel have the guaranteed job security of tenure. Indeed, as Janet D. Stewedel put it in her blog post titled “Collegiality Matters,” “People smart enough (in terms of both intellect and wisdom) that you’d want to be colleagues with them for 20 or 30 years are not going to happily grant tenure to someone who is an absolute pain in the ass, who shirks shared responsibility, or who poisons morale in your department.” However, the recent trend to explicitly outline tenure and promotion requirements for collegial behavior gives us pause.<sup>1</sup> According to the AAUP:

The current tendency to isolate collegiality as a distinct dimension of evaluation... poses several dangers. Historically, “collegiality” has not infrequently been associated with ensuring homogeneity and hence with practices that exclude persons on the basis of their difference from a perceived norm. The invocation of “collegiality” may also threaten academic freedom. In the heat of important decisions regarding promotion or tenure, as well as other matters involving such traditional areas of faculty responsibility as curriculum or academic hiring, collegiality may be confused with the expectation that a faculty member display “enthusiasm” or “dedication,” evince “a constructive attitude” that will “foster harmony,” or display an excessive deference to administrative or faculty decisions where these may require reasoned discussion. (“On Collegiality as a Criterion for Faculty Evaluation”)

In other words, there is a perceived danger that collegiality will be used as “a catchall for likability and other subjective qualities that some faculty advocates say can be used to punish departmental dissenters” (Flaherty, “Tenure’s Fourth Rail”). On the other hand, some commentators such as Michael Fischer in his response to the AAUP, note the importance of collegiality to enabling “free debate” especially from “the most vulnerable faculty members – often newcomers with fresh perspectives and much-needed enthusiasm – who may shy away from departmental deliberations lest they jeopardize their personal futures. The motivation behind codes of conduct is not to make everyone agree but to let everyone feel free to disagree, allowing all voices to be heard”. The central issue at stake here

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<sup>1</sup> For a history of legal cases involving academic collegiality beginning in 1981, see Connell and Savage.

for all in this debate is whether collegiality policies will enhance or hinder the free speech of faculty.

Some researchers, like Robert Cipriano and Richard Riccardi, are working on ways to make the measurement of collegiality more objective by developing tools like the Collegiality Assessment Matrix and Self-Assessment Matrix, which include statements like “The faculty member speaks in a professional manner to others in his or her unit. For example, he or she avoids making remarks that are caustic, disparaging, undermining, or embarrassing” and “I behave in a professional manner toward others in my unit. For example, I avoid such behaviors as frequent displays of anger or irritability, contemptuous or dismissive conduct, or the refusal to grant others in the unit common courtesies” (Schmidt, “New Test”). While these kinds of measurements seem fairly innocuous, it is important that we deeply interrogate the subjectivity involved in determining what counts as a “professional manner,” or what counts as “caustic” or “embarrassing” behavior. Other measures purport to measure collegiality according to how it affects the traditional three areas of faculty assessment: teaching, research, and service. However, we question why there would be a need for a separate tenure requirement for collegiality in the first place if this was the only way that it was to be used.

And what about controversies amongst faculty members? Would, for instance, the decision to push for a faculty union or to organize a labor action be potentially uncollegial? What about the choice to act as a whistleblower and point out misconduct on the part of a fellow faculty member? Will victims of racial discrimination or sexual harassment be told to stay silent lest they risk being thought of as “not a team player”?

Given the many problems with developing and implementing collegiality statements, faculty in institutions that already have such statements in place have more work to do than those in institutions that do not. However, regardless of whether or not such a policy is in place at a particular institution, we have to remember that discussions about collegiality are not *just* about whether or not someone is yelling in the halls or slamming doors in meetings (although such situations do occur). Instead, discussions about collegiality can easily lead to conversations about someone’s embodied identity and political leanings that should not be the ultimate consideration of whether or not they can do their job. We must insist that tenure and promotion discussions be centered around an individual’s capacity to contribute to a department and institution, not whether they conform to traditional expectations of how a faculty member should look, be, speak, or act.

### **Collegiality as Surveillance**

Collegiality statements function very much in this regard as a system of surveillance. Michel Foucault theorizes surveillance in the much-cited book *Discipline and Punish*. Building on Jeremy Bentham’s idea of the panopticon, Foucault argues that power functions as a “field of visibility” that nevertheless affects those within it, as they become both those being

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surveilled and those doing the surveilling (202). The panopticon, a circular prison that has one guard in a middle tower whom prisoners cannot see from their brightly lit cells around the outside walls of the prison, creates the sense that the guard could always be watching even though it is unclear when, or if, that surveillance ever occurs. Similarly, the existence of collegiality statements make it clear that someone—colleagues, department chairs, people from other departments, upper administration—could be watching one’s behavior at all times and determining whether he or she is collegial, even as it is possible that no one is watching in this way. The very existence of collegiality statements, however, asks faculty to police themselves and others to ensure that everyone behaves in an appropriate way, in whatever way appropriateness is defined for that particular department or institution.

In such situations, some faculty groups are more vulnerable than others. As such, we fear that, without careful consideration, a collegiality requirement could wind up transforming into an institutionally-backed surveillance tool designed to stand between faculty who hail from already-underrepresented backgrounds and their bids for tenure and promotion. For example, according to *The New York Times*: “a number of young professors, especially women, have recently contended that their bids for lifetime academic appointments were derailed” by this “slippery fourth factor” (Lewin). The AAUP’s Martin Snyder described a troubling dynamic taking place in “male-dominated departments that hadn’t tenured a woman in a long time, or ever, and there’s some language about how the woman ‘just doesn’t fit in.’ What comes through is the sense that these are aggressive women who are seen as uppity” (Lewin). For those from historically underrepresented backgrounds such as women, people of color, those who identify as LGBTQIA+, individuals with disabilities, and even less-considered populations such as atheists, the production and enforcement of collegiality policies can seem a landmine of possible roadblocks to tenure and promotion. Anu Aneja’s argument in “Of Masks and Masquerades” is that calls for collegiality are in actuality calls for assimilation, especially from women of color, that “equate difference of opinion with atomization and conformity with collegiality” (144). Speaking of her own experiences as a third world immigrant in academia, Aneja claims, “Ethnicized by the legacies of cultural and postcolonial histories, she [the third world immigrant in academia] is offered a variety of costumes that she can freely choose from, but donning any one of them implies speaking with a certain voice, speaking for many others, speaking to an audience that is already awaiting her particular difference” (146). This type of tokenism holds dangers in that “too much” difference can run against notions of collegiality that are dependent upon academics, regardless of their subjectivities, conforming to common identities and beliefs. Especially since majority voices often dominate departments, colleges, and institutions, individuals from underrepresented groups such as Aneja can view collegiality statements as the subjective, floating

category that allows for their disenfranchisement and reinforces the powers operating upon them.

Such individuals often find that their bodies are always already under surveillance, heightening the impact of collegiality policies on them as opposed to white, cisgender men, especially those who identify with normative religious beliefs and whose bodies are seemingly unmarked with a disability (despite what we know about how bodies can belie the reality of mental illness). For women especially, pregnancy and motherhood can lead to behaviors – requests for maternity leave, adjusted class schedules, reprioritizing of tasks – that might be read as “uncollegial” by some. The many articles dedicated to searching for a job while pregnant, including Joseph Barber’s “Searching While Pregnant” and Mieke Beth Tomeer’s “Navigating the Job Market in the First Trimester,” as well as cautionary tales seen in McKenzie Wood’s piece “The ‘Joy’ of Pregnancy in Grad School” and Joan C. Williams and Jessica Lee’s essay “It’s Illegal, Yet It Happens All the Time,” show how treacherous it can be for women to pursue academia while also pursuing motherhood. Emily Van Dyne discusses the mixed emotions she has as a woman seeking tenure:

Despite the fact that I would, ultimately, love to have another child, another child would probably preclude the possibility of my securing tenure in a job that I love, and desperately need. So, like many women in academe, and particularly in the field of women’s studies, I live in two worlds. In the theoretical world of my writing and teaching, I speak out actively on behalf of women’s rights and against gender discrimination. But in my professional life, I find myself in an unsecure place as an untenured female faculty member for whom pregnancy now would almost surely mean certain death to my career.

Part of this problem is the conventional six-year timeline on which tenure is based and which Van Dyne, among others, notes overlaps with many women’s fertile years. However, another part of this problem is that academia has not shown itself to be supportive to the problems women face as they try to become pregnant and then assume the role of mother. In a recent piece, Jessica Winegar recounts the pain she felt as she simultaneously struggled to get pregnant, went through a series of miscarriages, and worked to achieve tenure. As she notes, our culture at large is ineffective at helping those who go through miscarriages, and academia is no exception. The stresses of attempting to become pregnant, pregnancy itself, and motherhood all place additional pressures on women faculty – including often invisible physical and economic disruptions – that could lead to behaviors, actions, and attitudes viewed as uncollegial, and ultimately un-tenurable or un-promotable, by some. When opening up a space in which such judgments can be made through collegiality policies,

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we have created a situation in which particular people whose bodies are already scrutinized are placed under additional surveillance.

Women seeking out motherhood are not, of course, the only populations at risk for discrimination based upon collegiality policies, nor will the same situations occur on each campus. As Laurie A. Finke wrote in a piece for the academic journal *symploke*, “The set of practices or performances that we collect under the term ‘collegiality’ is at once totally global and hopelessly local” (122), which means that the same behaviors might be viewed very differently at different schools or even within different departments at the same school. There is a subjective element in determining whether directly addressing a racist remark (and how) is “too confrontational,” whether a queer faculty member is “too in your face” about being queer or having a same sex partner, whether sharing one’s atheism is the same as sharing one’s Christianity, whether asking for certain accommodations is “too much.”<sup>2</sup> Aneil Rallin’s experiences as a queer professor speak to these concerns. In “Taming Queers,” he recounts his experiences being stalked by a student who sends multiple complaints to administrators and trustees at his institution and his Dean’s responses to this stalker. Although the Dean supports Rallin, he argues that “The rhetorics of support produce normalizing effects because within the realm of what the University is willing to support only ‘normal’ is defensible; outrageousness/ queerness are not normal and not defensible” (157). In this instance, as in others such as Aneja’s, normalcy is seen as collegiality’s synonym; difference and diversity are not accounted for because surveillance depends on notions of normalcy.

At particular risk are any faculty who are part of the contingent academic workforce, a steadily growing and alarmingly large number of non-tenure-track faculty who have no contracts or short-term contracts with no promise of tenure and promotion. According to the AAUP, in 2015 40% of faculty members were part-time, 17% were full-time non-tenure-track, and an additional 14% were graduate students, while only 29% were either tenured or tenure-track. This is a huge shift from 1975 when 45% of faculty were either tenured or tenure-track and only 24% were part-time, 10% were full-time non-tenure-track, and 21% were graduate students. Marc Bousquet is a common critic of the exploitation all tenure-track and tenured faculty contribute to as those who profit from the low-paid labor of contingent faculty, particularly in English departments. In a study of non-tenure-track faculty, Nathan F. Alleman and Don Haviland found that while full-time, non-tenure-track faculty expect to be treated the same as tenure-track faculty in their departments, they often experienced differential treatment from tenure-track faculty in terms of acknowledgment from others, value in decision-making, and value as contributors to departmental goals (538). Such findings back up

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<sup>2</sup> For more on disability in academia, see Jay Dolmage and Stephanie Kerschbaum’s “Wanted: Disabled Faculty Members” in *Inside Higher Ed*.

Bousquet's arguments that division between tenure-track and contingent faculty is exacerbated by tenure-track faculty members' willing exploitation of contingent faculty. Collegiality statements are particularly fraught for contingent faculty because they have no security of employment and, therefore, a lot to lose if they are perceived as uncollegial. The implementation of any collegiality statement for contingent faculty is particularly suspect because of their tenuous positions, especially for those contingent faculty who also occupy status as an underrepresented group.

Faculty should also take into consideration whether a collegiality standard might be used as a tool to suppress undesirable political speech, even when it takes place outside of the classroom (Condis). For example, Professor Steven Salaita argues that this is how he was run out of his job before it ever began at the University of Illinois. Salaita, who issued many provocative tweets denouncing the Israeli occupation of Gaza from his personal account (Deutsch), was deemed "uncivil" by the university officials (AAUP, University's Attempt to Dismiss Salaita Suit Over "Uncivil" Tweets Rejected by Court"), though it was later uncovered that the university's decision was influenced by wealthy donors, who "threatened to withhold money from the university if it made good on its job offer to him" (Schmidt, "Salaita Goes After University Donors in Lawsuit Over Job Loss at Illinois"). This conflation of the need for professional courtesy with a requirement that university employees refrain from articulating certain political points of view should give us pause. What exactly about Salaita's tweets were uncollegial? The fact that they argued forcefully against Zionism? Was it their angry and strident tone? Might *any* action taken by a faculty member that stirs up public controversy (and thereby potentially damages the reputation of the university as a whole) or that provokes the ire of donors be considered uncollegial? If so, what are the implications for academic freedom?

When collegiality statements are produced and enacted, they are very much dependent on ideas about normal behavior, normal bodies, normal emotions, normal beliefs, normal faculty. And the issue with collegiality being built into tenure and promotion decisions is that this sliding scale of judgment, that more adversely affects underrepresented populations whose bodies are already monitored, is not explicit or self-reflexive. Instead, it is a subtle, if not entirely hidden means of policing academics so they conform to a homogeneous version of academia and the professoriate as much as possible.

### **A Case Study in Collegiality Statements at the University of North Dakota**

Some questions about collegiality and its possible uses during tenure and promotion review arose in 2013 at the University of North Dakota. In this case, Sarah Mosher, a French Assistant Professor, was denied tenure on the basis of colleagues who claimed that she "lacked collegiality by rolling her eyes at faculty meetings, slamming doors, being argumentative and

competing for students” despite having fulfilled all tenure and promotion requirements (Flaherty, “Collegiality Not an ‘Implied’”). However, a faculty grievance committee found that “collegiality was not an ‘implied’ criterion, according to departmental and college policies, and that Mosher had not been intentionally disruptive to the department” (Flaherty, “Collegiality Not an ‘Implied’” n.p.). Eventually, Mosher was promoted to Associate Professor at the University of North Dakota, where she still teaches French.

Mosher’s case points to additional complicating factors, however, in addition to personal behaviors that colleagues may find unacceptable. Speaking to her status as a young, untenured woman, the *Grand Forks Herald* reported that Mosher had filed a sexual harassment claim against a former colleague, which “‘tainted’ her reviews” because some of her colleagues did not want to be called as witnesses in that case (“Tension Over UND”). The case also brought to light other problems with the Department of Modern and Classical Languages and Literature, including “differing philosophies of education and collegiality, allegations of harassment and unprofessional conduct, and the strain of office politics and personality clashes” (“Tension Over UND” n.p.). Despite the testimony of her colleagues that she had fulfilled the tenure and promotion requirements, during the hearings they repeatedly cited unprofessional behavior and the creation of stress in the department as reasons they had denied her tenure and promotion.

It is difficult in this instance not to point directly to Mosher’s sexual harassment case as a key reason that her colleagues tried to deny her tenure and promotion, particularly since it directly comes up during the hearing. This case, then, points out the dangers of collegiality statements and their use, particularly against vulnerable populations of instructors for whom collegiality will be used as a surveillance and policing mechanism. Jeffrey R. DiLeo makes a similar case in pointing out that many departments have “weasel clauses” that are lines hidden in tenure and promotion guidelines about how such decisions may not be based entirely on the academic triumvirate of research, service, and teaching. Instead of decrying collegiality statements, DiLeo argues that collegiality statements are needed so that the power structures inherent in academia become visible and hidden clauses cannot be used against faculty. However, such a position seems to ignore the ways that collegiality statements themselves will not serve to alter the conditions upon which faculty are judged but, instead, leave faculty more open to denials of tenure and promotion on the basis of subjective judgments about collegiality. In Mosher’s case, had such a collegiality statement existed, it is possible her fight to regain her status as a tenure-track/tenured professor would have been denied despite such external factors as her pending sexual harassment case.

Much like Foucault’s panopticon, collegiality statements can operate as invisible constraints on faculty members that force them to overlook illegal and unethical behaviors in the name of maintaining good

relations with others in their department. Given the propensity of sexual harassment cases to already be hidden and unreported, collegiality statements serve as further reasons for faculty—especially faculty who are untenured, women, people of color, or members of the LGBTQIA+ community or who hold unpopular beliefs—to suppress their identities and to fit into a department or institution at all costs. This is precisely the form of power that operates to suppress reports and actual changes in any system of oppression.

### **Collegiality Statement Toolkit**

Given the high stakes collegiality statements hold for faculty, it is imperative for faculty to become acquainted with what policies are or aren't in place at their institutions and how such policies are implemented.

If your institution does already have a collegiality statement in place, we suggest taking a clear look at the policy and determining whether it is clear, explicit, and fair about the expectations it establishes for faculty. For example, stating that a faculty member must regularly show up to teach their classes and hold a particular number of office hours may seem explicit, but “regularly” leaves some room for subjective judgments about what this means. If a faculty member misses six classes per semester, is that regular? If a faculty member misses ten classes per semester, is that regular? In some cases, common sense may make such expectations seem transparent, but the need for context (Is this person sick? Have they set up alternative learning opportunities for students? Have they made arrangements with the chair and/or dean?) illustrates how difficult it can be to set a guideline for collegiality that is unilaterally applied to all faculty. While some subjectivity will always be present, a collegiality policy must be as explicit as possible in order for it to be applied fairly and equitably to all faculty members. If the language in your collegiality policy is not clear, we suggest bringing this up with colleagues in and out of your department to determine what the history of the policy is and how it might be changed.

If your institution does not currently have a collegiality statement in place but is in the midst of developing one, as our own institution was, we suggest that your department and/or institution try to achieve as diverse representation as possible when forming the committee(s) that will develop such a policy. Including members of underrepresented groups who nevertheless feel empowered to voice their opinions will help make sure that the language developed in the policy is as inclusive and explicit as possible. We also suggest that the policy include language about what the policy is NOT with a reference to employment laws against discrimination. Such a statement could include language like the following:

This policy takes into account the anti-discrimination guidelines at our institution, which include race, color, religion, national origin,

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sex, age, disability, genetic information, citizenship and veteran status as well as sexual orientation, gender identity, and gender expression. The collegiality policy is not intended to hinder academic freedom, particularly the academic and creative freedom of faculty to speak in venues outside of our institution, including on personal social media sites. This policy also draws attention to the importance of paying attention to unacknowledged or hidden biases and issues of equality between different groups and ranks, including different faculty ranks, gender, race, etc.

While such a statement cannot prevent policy-based discrimination (Floyd-Thomas), it highlights the need for those implementing the policy to be particularly attune to the potential problems of such policies.

If your institution does not have a collegiality policy, and is not thinking about such a policy, it may still be useful to become familiar with collegiality policies at other institutions, particularly those at similar institutions if they exist. Despite the dangers of such policies, some institutions, such as our own, are in the midst of implementing them. Gaining knowledge ahead of time will serve faculty well if their institutions attempt to implement collegiality policies.

#### **Addendum: Collegiality and a Shifting Departmental Environment**

Our own department underwent a difficult past year—perhaps evidenced by both of us leaving for other institutions since the initial drafting of this article—and the collegiality policy is one sticking point that allows for administrators to include vague and unfounded comments in faculty reviews. Even in departments where this is not the case, changes in institutional structure, departmental structure, departmental governance, and colleague turnover can – and will at some future point necessarily – occur. Thus, we urge all faculty to take a proactive stance about collegiality policies that may or may not be in place at their institutions, keeping in mind that the department that exists today will not be the same department that exists in perpetuity. Our responsibility is to ensure that any collegiality policy we help build is as explicit and equitable as possible, so that current and future versions of our departments and institutions remain (or can become) truly supportive, communal, and responsive to all faculty.

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