Center for the Study of Ethics in Society

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Opening

Good evening. Thank you (Sandra?) for that wonderful introduction. And thank you to the Center for the Study of Ethics in Society for sponsoring this series. You have selected important sectors of society to examine this semester. I believe the fact that we're here talking about the kinds of ethical decisions we might face together will help ensure that when these issues hit our campus—and they will—we will be ahead of the game and ready to work through them.

I will admit to a bit of nervousness about delivering this talk. This is a challenging task for me and I fear I may be violating a primary part of the ethical tradition by speaking on a topic I do not consider my field. I expressed my concerns to Dr. Borden when the invitation was issued. She told me not to worry.

So, in preparation for this evening, I began, as our students often do, with a Google search on the topic of "Ethics in Higher Education." I found some interesting "stuff." I will say, though, that I was not reassured when I found on the second page of my Google results, a reference to my talk tonight.

Now that I have warned you and paid homage to truth in advertising, let me tell you a little about my focus tonight. Ethical issues in higher education cover a range of potential topics. I intend to just get you thinking about them on a very practical level and share some of my own experiences as well as some recent and very high-profile examples of the issues our colleagues at other schools have faced.
Ethics in society and higher education

Let's start though by talking about ethics--really applied moral behavior. We spend time in higher education talking in every discipline--or at least I hope we do--about ethical behavior and ethical dilemmas in our respective roles. And we know that in the society in which we live, ethical dilemmas are rampant and fill the pages of our newspapers. Think about:

- Financial institutions and the subprime mortgage crisis
- Government truthfulness or the lack thereof, and where it can and has led
- Sports and cheating--baseball and steroids are a prime example
- Journalism--what are the boundaries when selecting visual images to publish or broadcast for example? I know Dr. Borden will be talking at length about journalistic ethics here next week, and I recommend her presentation.

In higher education, ethical issues and dilemmas are part of our natural territory. Virtue and the pursuit and use of knowledge have been inextricably linked since the days of Socrates.

Pick up any higher education periodical today and you'll read a variety of stories that revolve around common ethical issues in academe. Here are some covered in a recent issue of the Chronicle of Higher Education (Jan. 11, if you're interested):

- The president of a university is accused of involvement when a major donor's daughter has her transcript rewritten to reflect completed course work she may or may not have completed.
- A new Big 10 president vows to keep sports in perspective and tackle such issues as athletic spending.
• Colleges nationwide struggle with certification issues as a growing population of international athletes push American students out of athletic scholarship opportunities.

• The Modern Language Association struggles as an organization to deal with the political challenges of academic freedom; and

• Colleges and universities get out of the e-mail business but worry about their commercial replacements infringing on student privacy.

And that, ladies and gentlemen, reflects just the front page of a 56-page issue. That issue concludes, by the way, with an essay about how colleges must work to keep the good will of the public by being proactive on the issue of accountability--an issue fraught with ethical considerations.

Power and its misuse; the role of educators in the business side of higher education; accountability; conflict of interest, and research ethics--these are everyday challenges in the world of higher education.

The broad issues
What ethical challenges are we likely to face? Take your pick. There are the broad and all-encompassing issues involving academic excellence, diversity, access, civility, academic freedom, self governance, financial transparency and honesty. These are values long associated with the very best in higher education. They are broad issues, and each is important by itself. Problems arise when these values compete with each other for dominance and resources. When they do, we are truly dealing with a much larger problem--how to find and maintain balance when it comes to supporting those "competing goods" we hear about so often.
We can drill down farther and ask how do we support competing goods at a time when support for the entire package of "goods" we call higher education is in jeopardy. We live in an age when public support and willingness to pay for what we do is dwindling. I know it is not news to you, that public universities, in particular, are increasingly being asked to find new sources of funding as the ability or willingness of state legislatures to support them decreases.

• When that source of funding comes from donors, it can come with strings attached as well. Such gifts always come with an increased level of interest by a person of great accomplishment, often with great expertise related to the funding. That interest can be positive as it usually is-- sometimes it can be intrusive.

• When corporate entities are the source of new money to help public universities, they bring another set of challenges and demands that can put the objectivity of research at risk or diminish support for basic research in favor of more applied research with commercial potential.

• When University administered services--like financial aid or study abroad packages are provided through private companies, they usually represent a cost savings to students. That's a good thing. But we have to guard carefully against even the appearance of conflict of interest when these business arrangements are negotiated or when incentives are provided to institutions or individuals within those institutions.

These are very real issues and part of the variety of ethical issues faced daily. They require the attention to detail, personal integrity and fairness that have always been the hallmark of the academy. They are not insurmountable, but they do require careful consideration, balance and a large dose of common sense and empathy.
Large and complex universities such as this one, face an almost daily barrage of issues that require the kind of ethical consideration you've asked me here to discuss. All require attention to context, commitment to fairness and reason.

I'd like to illustrate some issues using examples I have personally encountered, as well as those recently or currently faced by our sister institutions. The questions addressed will fall into several categories--some that overlap:

• the role of athletics
• personal integrity
• academic freedom and the 1st amendment
• acceptance of gifts,
• religion, and
• the conduct of research.

Some examples

Plagiarism – Stealing someone’s work, ideas or data
Before coming to WMU, I was the provost and then chancellor at Southern Illinois University-Carbondale. While I was there and for some time after, the campus was embroiled in a series of plagiarism disputes.

It all began with a faculty member and a dossier for promotion and tenure. The teaching philosophy was copied from another source – tenure and promotion were denied

The saga continued as the Chancellor before me was accused of plagiarizing the University’s Strategic Plan from one adopted at his former institution, Texas A&M. A committee was formed and several other “lifts” were discovered.
Then the president of the system was accused of plagiarizing his dissertation when errors in attributions were uncovered. He was eventually cleared of wrongdoing, but accused of being careless.

Along the way, some disgruntled members of the SIU community began scouring the university's Web pages and discovered the presidential welcome message was the same as that of the previous president. Is that plagiarism or simply an issue of a University-owned message?

**Presidents and high profile university figures as private citizens**

Just last week, we say a huge uproar over the decision by the President at the University of Florida and his decision to endorse a presidential candidate, John McCain.

What about freedom of speech? We search long and hard to find educational leaders who have strong core beliefs. Do we want them then to excuse themselves from public discourse on the issues that matter most to their profession and to the larger society?

Does a college or university president have the right to express his views about religious convictions and beliefs – Example of the comment regarding Partner Benefits

Can Rick Majerus, SLU BB Coach express his views on a topic such as Pro Choice/Pro Life. Does academic freedom permit such in a Private Institution?

**Freedom of speech/academic freedom**
Views expressed by University of Colorado Professor Ward Churchill led to a spotlight on his career and his eventual firing for research misconduct. His views about 9/11—speculating about who was responsible and, perhaps, that the victims got what they deserved—generated a huge outcry from the public, which led to an in-depth analysis of his overall contributions and writings. In the end, it was his research misconduct as judged by a faculty committee that led to his dismissal. But it was the views he expressed in the classroom that led to an investigation of his credentials.

Other examples include statements about the Holocaust—did it really happen or another version—it did happen, but the impact is overstated.

The perspective here, of course, is that academic freedom relates to the individual's area of expertise—not his/her right to say anything and everything want ones to pontificate on or about. Our standards are clear and expressed since 1940 in the AAUP's Statement of the Principles of Academic Freedom and Tenure:

"...teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter that has not relation to their subject..."

It's a simple sentence and well worth a re-read now and then.

**Acceptance of gifts**

Gifts from donors have been a mainstay of higher education for generations. I might challenge you to find a college or university anywhere in the United States that does not have a scholarship, building or endowed chair named for someone who has chosen to make a substantial gift in support of the named item. Gifts from donors
once bring us resources to provide the margin of excellence we need to keep our organizations on the cutting edge. Today, gifts from donors sometimes provide the resources to fund our core mission.

One of the most hotly debated gifts to a university in 2007 was a $15 million gift to the University of Iowa from Wellmark Blue Cross/Blue Shield. Wellmark is a major provider to the UI Hospitals and Clinics and administers insurance plans for three of Iowa's state universities. That gift, announced during a period of presidential transition at the university, came with the understanding that UI's young College of Public Health would be named the Wellmark Blue Cross and Blue Shield College of Public Health. The gift was negotiated by an individual who was a major donor, a former Iowa Regent, former Wellmark director and chair of the college's fundraising committee.

The college dean and faculty held an emergency meeting and objected, expressing concern that the name might constitute a conflict of interest that would reflect on the college's research. Some local pundits wondered how much it might cost to rename the UI Wellmark University. Others wondered where else the college might find the kind of teaching and research resources that $15 million would have provided.

The company withdrew the gift, and the major donor resigned his fundraising role, saying he was embarrassed. But first, he tried to pressure the incoming UI president to fire the dean--a step that many felt took the controversy to a whole new level and into the realm of a donor's attempted influence over personnel matters. The controversy ended late last fall with the state Board of Regents adopting a formal naming policy that would govern similar situations in the future.
But the University of Iowa is hardly the first to deal with the issue of whether a corporate name makes a statement about the independence of a unit's research or compromise the academic freedom of its faculty. Last fall, geology students at the University of Oklahoma began attending classes at the newly named ConocoPhillips School of Geology and Geophysics. Ethical choices have to be made when there is a close link between the mission of a potential corporate donor and the academic discipline it seeks to support.

Sometimes it is simply the appearance of undue influence that gets us in trouble. Would anyone have blinked an eye at the idea of the Wellmark College of Fine Arts?

There is the potential for issues like this with any gift. However, I think it makes sense to remember that, most often, gifts come with very modest strings attached and those strings sometimes meet with our hearty approval. Earlier this week, news broke about a venture capitalist who has donated $25,000 to the University of Colorado at Boulder to endow a bathroom and place a quotation outside it. The quotation: "The best ideas often come at inconvenient times. Don’t ever close your mind to them."

**Religion--the right to express ones views the need to accommodate**

Public institutions of higher education are committed to a policy of inclusivity, yet there must be a separation of church and state. These are two competing "goods."

Some argue that this is more of a concern with younger children, who are easily influenced by the beliefs of a teacher or person in power. But religion and the accommodation of diverse religious beliefs and traditions are quickly emerging at the college level as a major challenge in academics and student life.
Religious conviction often leads to clashing views between and among researchers and between faculty and students in the lab as science expands its boundaries. One has only to look at the stem cell or creationism controversies to see examples. Even in the lecture hall, the definition of what is and isn't science raises red flags as individual belief systems come face to face with science. Our ethical responsibility is always to maintain a level of respectful discourse without compromising principles.

But a multicultural campus always brings challenges as we work to strike the proper balance. Our own Faculty Senate discussions in recent months have focused on accommodating the religious traditions of a diverse student body, so we have been clarifying the responsibilities of faculty and students in reaching agreement that will allow students to be with their families to celebrate important religious holidays.

What should or shouldn't be the role of religion on ceremonial occasions? I believe there needs to be a clear demarcation when it comes to religion in the academy. It is possible to have a dignified event, recognize others and do so without a prayer form that will inevitably make some segment of our community feel like outsiders.

On a site visit to Washington State University...

The experience with Coach Pettibone and his policy about chapel for the players.

The ethical challenges surrounding religious traditions play out in very practical ways.

- In recent months, Calvin College has struggled to balance its evangelical identity with its desire for diversity. The college has a requirement that all of its faculty be members of the Dutch-rooted Christian Reformed Church. That requirement has
made it difficult for the college to recruit and retain faculty members of color and, as a result, limits the college's ability to establish a welcoming environment for the diverse student body it wants. Last fall, a popular African-American education professor, asked for an exemption from the church membership requirement, saying she felt a need for the spiritual, social and emotional support she could only find in a black Baptist congregation with practices closer to her personal tradition. Calvin denied her request, and at last report her term appointment is set to expire next year. That institution made a choice. It chose to preserve its theological standing at the expense of its desire to diversify.

- In the public higher education arena, but still in Michigan, the University of Michigan-Dearborn made a choice recently to accommodate the needs of its large and growing population of Muslim students, who have a unique set of challenges as they comply with the letter of their religious law.

Muslim students are required to wash their feet before praying five times a day. The reality of that fact found students washing their feet in campus restroom sinks, resulting in pools of standing water on floors, injuries incurred and damage to plumbing. It was deemed a safety issue. The university had two options--forbid foot washing in university restrooms, thus inhibiting Muslim students ability to practice their religion, or finding way to safely accommodate that need.

Last summer, the university opted to spend $25,000 to install foot-washing stations in several campus restrooms. The decision ignited a firestorm of protest over whether the decision was a legitimate accommodation of students right to practice their religion or an unconstitutional example of public funds being used to support one religion. At the end of the day, common sense prevailed. The University of Michigan-Dearborn survived the controversy and joined more than a dozen other
universities around the nation with simple installations to accommodate the needs of the populations they serve. That university made a choice between a narrow interpretation of the separation concept and a more inclusive interpretation that yielded practical benefits.

**Diversity in its many forms and variations**

Many of us here tonight, I hope most, accept diversity as a basic value of higher education. In Michigan, that value is challenged by the 2006 passage of Proposal 2. We now are faced with a possible conflict between our commitment to diversity and our moral and ethical obligation to follow the law of our state.

Our challenge is to honor both. Our challenge is find ways to preserve this cherished value in a way that also adheres to the letter of the law.

Provide examples of Hiring Plans with Incentives for recruiting diverse candidates

Explain the example of OSU and its Pharmacy Applicants and lack of diversity.

Maybe the great equalizer and the way to preserve and enhance diversity is to extend our outreach to any disadvantaged population.

**Conflicts of interest**

I began by saying the ethical issues were outside my field of expertise. I still believe that, but I may have underestimated how much of my time and is occupied by these issues. One of the great ethical levelers is the conflict of interest issue. Every one of us must deal on a regular basis with these real or perceived issues. One of the first questions to resolve might be is perception reality?
• I am a member of the Board of Directors of a bank. How do I handle or manage that role?

• Our board Board of Trustee members, too, must be cognizant of conflict of interest issues. They are not just board members. They are accomplished individuals with professional ties to businesses and organizations that sometimes interact with the university.

• Faculty, too, can have conflicts of interest. Work done at the university is the property of the university. Does holding ownership in a company influence one’s research?

• Staff members and administrators can face ethical challenges. Last year, scandals in the student loan and study abroad field erupted nationally as financial aid folks or study abroad officials were found to accept free trips to attend or speak at conferences or examine the facilities to which their students might travel. Today, there is a national report about admissions recruiters for three of the nation's most prestigious business schools (Wharton, U of Chicago and UNC) accepting roles as board members of Japanese company that helps Japanese students get admitted to U.S. MBA programs. A free annual trip to Japan is part of the package.

The potential for conflict of interest is enormous and requires each of us to look carefully at every interaction we have--especially interactions with the private sector.

I have been at Western Michigan University for just seven months--seven months tomorrow. I find the level of vigilance here commendable. We have people who carefully consider the ethical issues we face. I know that at some point we may face
some question that challenges that vigilance, but I also have great confidence in our ability to work through such challenges together.

I've enjoyed being here this evening. And I have enjoyed the opportunity to think and reflect on these important issues. Thank you. I will be happy to answer any question you have on the topic.