December 6, 2004

TO: Professor Francisco Scarano, Chair
    Ethnic Studies Implementation Committee

FROM: Gary Sandefur, Dean

RE: Questions about Implementation of Revisions to the Ethnic Studies Requirement

At the last meeting of the Letters and Science Faculty Senate, held Monday, November 8, 2004, Professor Michael Fox (Hebrew and Semitic Studies) raised a series of questions related to the Ethnic Studies Implementation Committee's (ESIC) work to implement revisions to the Ethnic Studies Requirement (ESR). Professor Fox provided his understanding of the ESIC's operational guidelines, and asked the following questions:

The guidelines developed by the Ethnic Studies Implementation Committee include a requirement that at least 25% of an ESR course be dedicated to the "experience and/or theoretical understanding of marginalization and discrimination in the US. If a course deals with a once-marginalized group, it "must devote at least 25% of the course to the experience and/or theoretical understanding of marginalization and discrimination in the US." Some further stipulations require the 25% rule in various types of courses. Recognizing that some courses will not get adequate registration without the ES classification, I would ask the following questions of the Dean:

1. Does the current formulation of the ESR exclude the study of ethnic groups that are not marginalized, and in fact were never effectively marginalized, such as Jewish-Americans, German-Americans, and Irish-Americans?

2. Is it not an infringement of academic freedom to force an instructor to devote 25% of a course to victimization if he or she believes this is grossly disproportionate to other facets of the group's experience, such as its history in the States, the organization and development of its community, its religion, its contribution to the arts, sciences, scholarship, business, and government, and more? What if an instructor considers that it is offensive to define an ethnic group's experience by what hostile forces have done to it?

3. Did the Faculty Senate or L&S Senate authorize or approve the formulation, and if not, what is the basis of its authority?

Submitted by Prof. Michael V. Fox, Hebrew and Semitic Studies (District 80)
Noting that this topic is one in which many members of the faculty and the larger university might have an interest, and that the subject had not been included in the public notice of this meeting, I offered the Senate three options for future action: to forward the questions to the ESIC for response; to forward the questions to the University Committee or the University Academic Planning Council, since those governance bodies have authority over this campus-wide requirement; or to include these questions on the agenda of the next L&S Faculty Senate meeting. The Senate approved a motion to pursue all three options. I am therefore forwarding Professor Fox’s questions to you, with a request that the ESIC prepare a response and submit it to me by January 18, 2005.

By copy of this memo, I am also bringing these questions and this conversation to the attention of the University Committee and University Academic Planning Council. Please feel free to include those bodies in your response to me. Finally, I will note that the L&S Senate will consider Professor Fox’s questions and the ESIC’s response at its meeting in April 2005.

xc: University Committee, c/o David Musolf, Secretary of the Faculty
    University Academic Planning Council, c/o Peter Spear, Provost
TO: Michael Fox, Professor of Hebrew and Semitic Studies

FROM Francisco Scarano, Professor of History and Chair, Ethnic Studies Implementation Committee

RE: Questions regarding revised Ethnic Studies Requirement

CC: Gary Sandefur, Dean, College of Letters and Science
University Committee, c/o David Musolf, Secretary of the Faculty
University Academic Planning Council, c/o Peter Spear, Provost
Ethnic Studies Review Committee

As you know, Dean Sandefur asked the Ethnic Studies Implementation Committee (ESIC) to address your inquiries regarding the committee’s work to implement the revisions to the campus-wide Ethnic Studies Requirement. I’d like to begin with a bit of history intended to address your question as to the authority of the ESIC to implement revisions to the requirement.

The Ethnic Studies Requirement, which has been an undergraduate degree requirement since 1989, was the subject of an intensive review prompted by the university’s Plan 2008. That review addressed the efficacy with which the ethnic studies course array (as it stood ca. 2000-02) met the stated goals of the requirement. The Ethnic Studies Review Committee determined that substantial changes were required to achieve those goals, and its report included twenty-three recommendations addressing implementation of the requirement. Those recommendations were approved (with one amendment) by the University Academic Planning Council (UAPC), which is empowered in FPP 6.52 with the responsibility for addressing academic issues crossing school and college lines. Since the College of Letters and Science houses most of the courses and faculty responsible for fielding the requirement, the UAPC also charged the Dean of L&S to implement the recommendations on its behalf.

The proposed revisions were reported to the University Committee (UC) and, in turn, to the Faculty Senate; of the twenty-three recommendations, the only item that was questioned was a proposal to change the name of the requirement. The UC recommended that the UAPC rescind approval of that recommendation, which was done, so the name “Ethnic Studies Requirement” remains the same. The remainder of the recommendations stood as approved by the UAPC, as did the charge to L&S to implement the requirement. Dean Certain began that process by convening the Ethnic Studies Implementation Committee, which I chair. Hence, the committee obtains its authority by delegation: we were entrusted with the task of implementing revisions to a cross-college requirement by the governance body that oversees such requirements. We are required to submit regular reports to the Dean, to the Provost, and to the UAPC.
The ESIC's first and most arduous task was to interpret and apply the criteria for ESR designation. These are found in Recommendation 23, the last of the review committee's recommendations, which (as adopted by the UAPC) states:

**Recommendation 23:** The University of Wisconsin-Madison is committed to fostering an understanding and appreciation of diversity, in the belief that doing so will:

- Better prepare students for life and careers in an increasingly multicultural US environment,
- Add breadth and depth to the University curriculum, and
- Improve the campus climate.

One of the University's overarching goals is to infuse the curriculum in all disciplines with diversity, including those where traditionally it has been absent. The Ethnic Studies Requirement (ESR) is one of several key elements in reaching this goal. This is a requirement that all students take a 3-credit course that considers ethnic/racial minorities that have been marginalized or discriminated against in the U.S. Because issues of ethnic diversity and religion are often intertwined and cannot easily be separated, courses that focus on religion may, where appropriate, fulfill the ESR.

All courses that the implementation committee approves as satisfying the requirement must provide evidence that the course material illuminates the circumstances, conditions, and experiences of racial and ethnic minorities in the United States. (Adopted by the UAPC January 23, 2003)

Although the final paragraph of this recommendation appears to be quite clear, when faced with the task of applying these statements to actual courses, the implementation committee found it necessary to develop an additional list of guidelines to "operationalize" the general statement found above:

- **ESR courses must be offered for a minimum of 3 credits.**
- Evidence (e.g., syllabus, reading list) must be provided demonstrating that the course material illuminates the circumstances, conditions, and experiences of racial and ethnic minorities in the United States.
- Courses that explore the condition of discrimination, marginalization and similar ESR topics in a comparative international format must devote at least 25% of the course (lecture, discussion, reading materials, etc.) to the experience and/or theoretical understanding of marginalization and discrimination in the U.S.
- Courses that explore the condition of U.S. ethnic groups that were at one time marginalized but which have since been widely assimilated into the dominant U.S. culture must devote at least 25% of the course to the experience and/or theoretical understanding of marginalization and discrimination in the U.S.
- In cases where religion is intertwined with respect to ethnic/racial minorities that are persistently marginalized or discriminated against in the U.S., courses that focus on religion may fulfill the ESR.

These guidelines differ somewhat from the summary you provided in the questions posed of Dean Sandefur and the L&S Senate. Those differences lie in the interpretation of the third and
fourth bullets, which represent the committee's attempt to introduce some standard for allowing into the ESR course array two types of courses that might otherwise be excluded under a very strict interpretation of the criteria. The first type would be those courses that address topics in which issues related to the conditions of race and ethnicity are presented in comparative, international formats. The criteria hold that ESR courses must address these issues as they pertain specifically in the U.S.; rather than entirely exclude courses with international content, the ESIC determined that if at least 25% of the course materials connect to the U.S., these courses could be allowed. The second group of courses that would otherwise be excluded would be those that focus on groups in the U.S. that were at one time marginalized, but which have since been fully assimilated. Since the goal of the ESR is that students study the "circumstances, conditions, and experiences of racial and ethnic minorities in the United States" in order to prepare them "for life and careers in an increasingly multicultural U.S.", the groups studied would be those that have been persistently marginalized and that continue to face the need to negotiate conditions of difference and marginalization. Again, the ESIC believes that much can be learned from comparative study and from history, so they developed a guideline allowing these courses to count if at least 25% of the course connects to the experiences of groups that continue to be marginalized in the U.S.

Each of these cases represents the ESIC's desire to include as many relevant courses as possible, while also honoring the goals of the requirement and the limitations posed by the approved criteria.

Turning, then, to your questions:

1. *Does the current formulation of the ESR exclude the study of ethnic groups that are not marginalized, and in fact were never effectively marginalized, such as Jewish-Americans, German-Americans, and Irish-Americans?*

As can be discerned by the fourth bullet point cited and discussed above, the ESIC discussed the central tenet of this question at some length. We concluded that courses focusing only on groups that suffered from discrimination in the past but which have, by now, been fully assimilated into the dominant U.S. culture do not meet the requirement. That said, ESIC members could envision hypothetical examples such as a course on historical patterns of U.S. immigration and assimilation that compares groups that overcame past discrimination and marginalization to groups that continue to experience those conditions. Such a course would clearly be relevant to the ESR, and would, in all likelihood, meet the ESR criteria.

2. *Is it not an infringement of academic freedom to force an instructor to devote 25% of a course to victimization if he or she believes this is grossly disproportionate to other facets of the group's experience, such [as] its history in the States, the organization and development of its community, its religion, its contribution to the arts, sciences, scholarship, business, and government, and more? What if an instructor considers that it is offensive to define an ethnic group's experience by what hostile forces have done to it?*
There are two points to be made in response to this question. The first observation has to do with the philosophical question of how universities administer degree requirements established by their faculty. The administration of general requirements demands that courses conveying particular types of degree credit meet particular criteria. This is the means by which the faculty can be assured that credit is appropriately awarded, that courses align with curricular goals, and that we fulfill our contract with students that these courses convey a particular type of knowledge. It is no more unreasonable to ask that courses conveying ESR credit meet specific criteria than it is to ask that courses conveying Communication or Quantitative Reasoning credit meet specific criteria. For these General Education Requirements, the faculty has agreed upon criteria for courses conveying these types of credit, and has charged its members with the responsibility to review and approve courses intended to serve these requirements.

Questions of academic administration aside, the second point concerns whether the ESIC’s operational criteria require ESR courses to assume a philosophical stance focusing on discrimination and marginalization. Unfortunately, your question reflects a misunderstanding that the ESIC may have unintentionally fostered in drafting its operational guidelines.

It is not the committee’s intention to require that courses conveying ESR credit focus only on discussions of marginalization or discrimination. Rather, the ESIC believes that ESR courses address any means by which persistently marginalized groups in the U.S. negotiate the conditions by which their marginalization is expressed. Negotiations of race and ethnicity are complex and various, ranging from direct confrontation of issues of marginalization and discrimination, to exploration of historical and cultural traditions of these groups, to illumination of the intersections between those traditions and the dominant (and evolving) U.S. culture, to study of literatures and other expressions of identity and/or diaspora, and on and on. We trust that the list of potential ESR topics is limited only by the creativity and interests of our faculty. This body of knowledge is rich and complex, and we have no desire to limit studies in this area to negative experiences. (Indeed, we share your concern that doing so could be deeply offensive.) We must therefore thank you for bringing this potential for misinterpretation to the fore, and promise that we will work to improve the way the guidelines express our intentions and, to date, our practice.

This, of course, brings us to a further consideration: you and your colleagues may have courses you elected not to continue as ESR courses because your understanding of the operational guidelines held that they would be excluded (e.g., courses that address negotiations of race and ethnicity for marginalized groups in the U.S. from a perspective that does not focus on marginalization or discrimination). Now that you know more about the intentions and practice, perhaps you would like to propose continued ESR status for some of those courses. If so, I would encourage you to send copies of your syllabi to our attention, c/o Dr. Elaine M. Klein, Academic Planner, 307 E South Hall. We will be happy to review your request.

In closing, let me assure you that it is not our intention to arbitrarily limit the ESR course array, nor are we unaware of the impact these revisions will have in some departments. We have tried throughout this process to work closely and communicate well with departments because we know deletion of the ESR designation will have an impact on enrollments. We are equally aware, however, that we are charged with the responsibility to ensure that courses in the ESR
course array meet a specific set of criteria developed to achieve a specific set of goals. We have thus had to negotiate the narrow path between the academic freedom of our faculty and the concomitant responsibility to our students, whom we hope to teach to be culturally competent in an increasingly diverse nation and world.

Thank you for your interest in our work, and in the ongoing importance of the Ethnic Studies Requirement.