

Transparency law for Texas professors sets off academic freedom debate

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A law requiring Texas' public colleges and universities to post detailed course information online will take effect this fall, stirring a debate between advocates of transparency and academic freedom.

Texas legislators unanimously passed House Bill 2504 in May 2009, making it the first of its kind in the nation. State universities will be required to post professors' syllabi, curriculum vitae, published works and salaries. Attendance costs and departmental budget reports also must be posted.

The information must be searchable, accessible without a user name or password and no more than three links away from the school's home page.

Though it won bipartisan support in the Legislature, some Texas professors say the new law is an attempt to interfere with higher education curriculum, despite its political branding as a move toward transparency.

Authors of the law said it's simply a way to get more information to students and their parents.

'Clearly an attack'

The Texas Conference of the American Association of University Professors requested a repeal of the law in its June newsletter. The group said the law is an unfunded mandate that would have a chilling effect on classroom discussion of controversial subjects.

If professors are required to post detailed descriptions of class material online, those opposed to the discussion topics would be able to target specific classes and professors, the association said.

"As far as any of us can tell, this is an attempt by cultural conservatives to identify course content they might view as undesirable, and is thus clearly an attack upon academic freedom," a previous newsletter said.

Murray Leaf, speaker of the Faculty Senate at the University of Texas at Dallas, said that despite the bill's portrayal as a measure promoting transparency, it displays "an insulting mistrust of higher education faculty."

"Faculty in the United States decide the curriculum," Leaf said. "We are largely autonomous. The people behind this bill are opposed to that and are trying to undermine it."

A law requiring professors to post their résumés online suggests that they're not qualified to teach their classes. And the higher education system depends on peer review by other educators, which is a better method for judging professors' qualifications than review by the general public, Leaf said.

"The law really isn't primarily about giving students better information, but about giving people who want to attack higher education better information," he said. "We're not against transparency. We're against being attacked by our enemies."

Right to know

Sponsors of the new law, however, say transparency is the legislation's only aim.

"Some fear that this is a 'gotcha' system, and it's really not at all," said state Rep. Lois Kolkhorst, R-Brenham. "I think that this will be a great tool to help the consumer."

Today's students choose colleges based on how good its football team is, its reputation and how far it is from home, Kolkhorst said. But after the law goes into effect, detailed course information could also factor into the decision.

"The motivation behind the bill was to really empower the students and the parents to choose classes that really fit their goals," she said. "As college tuition has gone up sharply ... dollars are very tight and students are leaving universities with thousands of dollars in debt, I think it's very important that we have transparency."

Justin Keener, vice president of policy and communications at the Texas Public Policy Foundation, said it is essential for public colleges and universities to post professors' salaries online.

"This is a public institution, it's public dollars being used, and the public deserves to know how it's being used," Keener said. "The taxpayer deserves to see what they're paying you."

If professors don't want their salary information to be open to the public, they should work at private institutions, Kenner said.

"This isn't an issue of trust ... this is not personal," he said. "The public is paying for it. They deserve to see every single penny."

Costs to comply

Updating websites to comply with the new law will cost Texas colleges and universities manpower at the least, school representatives said.

The University of North Texas estimated it will cost the university \$150,000 to input curriculum vitae into the school's faculty profile system. Texas Tech University estimates the cost of compliance will exceed \$100,000. The University of Texas at Arlington and UT-Dallas both plan to use existing staff to update school websites. That will add no additional costs but will require labor resources.

Whatever the cost and regardless of whether they support the bill's intentions, Texas institutions are preparing to meet the law's requirements by the fall 2010 deadline.

For some schools, that only requires tweaking existing policies. For example, UTA has been posting detailed professor profiles online since 2005, spokeswoman Kristin Sullivan said.

"I think perhaps [UTA] is a model for how this is supposed to work," she said. "You'll find that it's something that people have been doing, especially at major universities."

AT A GLANCE: REQUIRED POSTINGS

The transparency law requires every public college and university to post:

- A detailed syllabus listing each course requirement, recommended textbook, test and lecture topic for every undergraduate classroom course.
- A curriculum vitae for each professor, which includes post-secondary education, teaching experience and professional publications.
- A departmental budget report of the department under which the course is offered, from the most recent academic term it was offered.
- Cost-of- attendance information.

The information must be:

- No more than three links away from the institution's home page.
- Searchable by keywords and phrases.
- Accessible without a user name or password.
- Available on the seventh day of classes in the semester the course is offered.