



CASE 6-7

The Student Newspaper and Faculty Evaluations

As a senior at Southwestern State University, Jonathan Southall was feeling more impoverished than he had as an entering freshman. For four years he had subsisted on a series of low-interest student loans and the meager income from his part-time job as a waiter. But each year Southall watched helplessly as the relentless tuition increases exceeded the cost of inflation, further eroding his confidence in the administration's financial management capabilities. Southall did not dispute the chancellor's defense that competitive salaries, funded in part by the tuition hikes, were essential to attracting and keeping quality faculty. He was not convinced, however, that the tuition increases had been accompanied by a comparable increase in the quality of education.

But now, as the newly elected president of the Student Government Association (SGA), Southall

demanded accountability. He had been elected overwhelmingly on a platform committed, among other things, to "opening up" the faculty evaluation process and publicizing the results of the student surveys required in all courses at the end of each semester. Within the first two weeks of his nine-month tenure as SGA president, Southall moved expeditiously to fulfill his passionate campaign promise. However, his overtures to the university's administration were rebuffed, as they invoked various claims of confidentiality, privacy rights, and academic freedom. "The faculty evaluation results are for the eyes of administrators and faculty only," said the vice chancellor for academic affairs in summarily dismissing Southall's initiative. "They are used in the university's tenure and promotion process and that ensures sufficient accountability to Southwestern's teaching mission." She also cited a court decision four years ago that, in effect, exempted faculty evaluations from the coverage of the state's public records law.

Undeterred by what he perceived as the administration's cloak of secrecy designed to protect the substandard performance records of some of the university's faculty, Southall continued to pressure the chancellor's office through statements made to the SGA that were dutifully reported in the student newspaper. His flirtation with liberalism, albeit on a rather modest scale, had challenged one of the university's sacred cows. He acknowledged to his political allies in the SGA that his campaign might not produce instant intellectual gratification, but he would not be denied his day in the court of public opinion.

If the Southwestern State administration did not share Southall's unbridled enthusiasm for complete faculty accountability, Felicia Cobb did. Cobb was the *Watchdog's* SGA correspondent and was an unapologetic advocate for openness in government (and that included student government) and public accountability. She believed strongly that her classmates had a right to know how their peers assessed the faculty's pedagogical handiwork.

Andrew Jenner thought so, too. Jenner was a graduate assistant assigned to work in the Office of Data Processing and Retrieval, which was responsible for feeding the results of the faculty evaluations into the university's mainframe computer.

Cobb was intrigued when Jenner contacted her in her dorm and requested a clandestine rendezvous in a coffeehouse just off campus. "Shades of Watergate," she thought, recalling the historical accounts of the clandestine meetings and anonymous sources surrounding the downfall of the Nixon presidency.

Jenner was nervous but got right to the point. "I support Southall's campaign to release the results of the faculty evaluations," he began. "But that'll never happen, at least not in the near future. I feel strongly that we students have a right to know. This is all the data on the individual faculty evaluations," he told Cobb pointing to a package in his hand. "I have access to this information in my position as a graduate assistant. You can have this on the condition that you not reveal the source. If my department head finds out, I'll lose my assistantship and be kicked out of school." Cobb readily agreed. The young student reporter was only too eager to indulge Jenner's request for anonymity as she savored her journalistic triumph.

"I've finally recovered from my bout with information overload," Cobb told Lyle MacArthur, the student editor of the *Watchdog*. "There are more than 1,200 faculty included in this survey from last semester, and most of them taught two or three courses. We can publish the results in a tab insert, and then include a story highlighting the results in a front-page story." The paper's faculty adviser, Richard Hammock, wasn't sure the evaluations should be published at all.

"We'll take a lot of heat from the administration and the faculty if we publish these faculty evaluations," stated Hammock matter-of-factly three days before the scheduled publication date in a hastily arranged meeting with MacArthur, Cobb, and student managing editor Amanda Tedrick. "The results of these evaluations are supposed to be confidential."

"I have no doubt that we'll be under a lot of pressure," acknowledged Cobb. "But the students have a right to know about the quality of teaching at this university and how their classmates rate their teachers. This is one factor that students use in choosing their classes, particularly when they have a choice of more than one instructor."

"This may be true," said Tedrick. "But why is this news? Even if we assume that students have an interest in knowing how their teachers rate, I'm not sure that the results of the faculty evaluations are newsworthy. There's even some doubt as to their reliability. I'm a senior, and I've filled out these forms faithfully every semester. But quite frankly, I'm convinced that the way students evaluate their teachers is related to the difficulty of instruction. That may not be true in all cases, but there's certainly a tendency in that direction. The point is that faculty evaluations are inexact. I doubt that the results necessarily identify the good or the bad teachers. There too many other factors involved. Such surveys sometimes are nothing more than popularity contests that do not necessarily measure teaching effectiveness."

"That may be true," acknowledged MacArthur, who was impressed by his reporter's enterprise, "but it's not our job to be concerned about whether these surveys measure teaching effectiveness. The only issue is what students think of their teachers. And this university has made the results of these surveys a part of the tenure and promotion process. And because the quality of faculty affects all students, that makes these surveys newsworthy."

"I am concerned about how we acquired this information," said Hammock. "The university has determined that these evaluations should be confidential. We haven't done anything illegal, but the publication of these survey results will violate university policy. And it could cause a rift between the faculty and the administration concerning a lack of security for what the faculty assumed was confidential information."

"That's not our problem," countered Cobb. "If we believe the students have a right to know this information, then we should publish it. The professional media often publish confidential information if there is a legitimate public interest in doing so. What makes us so different?"

"We are different," responded Hammock, "because of the relationship of the *Watchdog's* staff. You are all students, and the faculty still hold the keys to your academic future here. This could blow over, and perhaps there won't be any retribution. But most of our paper's staff are enrolled in journalism courses. A professor whose evaluations

are poor could find ways to retaliate. In that respect, our reporters do not stand in the same relationship as the professional media in terms of the newsworthy individuals they cover."

"That could be a problem," agreed Tedrick. "Of course, I don't believe our paper should avoid controversy just because it makes the administration unhappy. Otherwise, we lose credibility with our readers. On the other hand, if we break the rules, we're putting ourselves into an adversarial relationship with the administration *and* the faculty. They provide much of our information. The fact is that we breached the confidentiality of these evaluations. The faculty have always assumed that they would be seen only by the department chairs and deans."

"It's true that we gained access to confidential information and in so doing perhaps we broke the rules," said Cobb, who was a true believer in the people's right to know. "But these evaluations are paid for by public funds. In addition, we pay tuition and have a right to demand accountability. In covering the SGA, I have discovered that there is a great deal of concern about recent tuition hikes, but there's a perception that the quality of education hasn't improved. We're the voice of student expression. It's our responsibility to look into these questions. And the only measure of teaching effectiveness currently employed to evaluate professors is this student survey."

"It's your call," Hammock said to MacArthur. "You're the editor. As the faculty adviser, I have no control over what you publish. I can only advise. All I ask is that you weigh the benefits—that is, the news value of these evaluations—against the potential harm of releasing this confidential information."

Although the editor had sided with Felicia Cobb during this rather intriguing discussion, he now found his role as moral agent more challenging. Because the faculty evaluations were confidential under university policy and academic freedom and professional reputations were perhaps at stake, MacArthur knew that the burden of proof was on the student newspaper to justify any breach of confidentiality on the grounds of newsworthiness or public interest. In addition, he harbored no illusions concerning the consequences of publishing these evaluations: The access that the *Watchdog* had enjoyed to sources in the upper administration

would evaporate. Of course, that was the risk that any newspaper confronted in offending their news sources.

It was true that the surveys were conducted at taxpayer expense and that his classmates had a vested interest in the quality of their educational experience at Southwestern State University. But student grades were also the product of a heavy investment of public funds and yet were confidential. What was the difference? he wondered. As a student, would he be happy if his grades were available for public inspection?

In confronting the ethical dimensions of publishing this confidential information, MacArthur was troubled by his conflicting loyalties. As a student, he had faithfully filled out these student questionnaires each semester, and he believed that he had the right to see the results. But he was a participant in the process, not an entirely disinterested observer. His role as a journalist-in-training also propelled him in the direction of disclosure, but unlike most professional journalists, MacArthur was a part of the institution whose policies favoring confidentiality were about to be breached. Nevertheless, the *Watchdog* was a student newspaper independent of administration control. It was supported by student fees and advertising, not state funds. The paper owed its primary allegiance to its student readers. And undoubtedly this information would be helpful to students in selecting their professors and courses. But he wondered whether even this justification was sufficient to overcome the officially imposed shroud of secrecy surrounding the faculty evaluation process at Southwestern State University.

THE CASE STUDY

Most colleges and universities do not release the results of student evaluations of individual faculty members, although student governments sometimes conduct their own surveys and publish the results. School administrators view confidentiality of such material as essentially a personnel matter predicated upon privacy and academic freedom concerns. But such a system can also conceal substandard performance records by public employees. Thus, students might argue that they have a

vested interest in the quality of their education and a right to know how their professors measure up in the classroom.

In this scenario, both university policy and the state's public records law (as interpreted by the courts) exempt faculty evaluations from disclosure. In addition, in most cases involving confidentiality, the party seeking disclosure must carry the burden of proof. Thus, the *Watchdog's* moral claim in support of its decision to publish this information—particularly because it was obtained through an anonymous source—must be based on some overriding principle. Although the promise of confidentiality and the circumstances under which the paper received the material also raise ethical concerns, these issues are not central to this case study, since they are a *fait accompli*.

In contemplating his decision, the editor, Lyle MacArthur, might consider the following questions: (1) Are the results of the individual faculty evaluations a matter of public interest? (2) Are students entitled to this information because the surveys are publicly funded? (3) Are the students entitled to this information because they pay tuition and have a right to demand accountability? (4) Should the paper decline to publish the evaluation results because they are an inaccurate barometer of the quality of teaching, or is the fact that they are taken seriously by the administration in their tenure and promotion decisions sufficient justification for reporting students' collective opinions regarding the quality of their instruction?

For the purpose of resolving this ethical dilemma, assume the role of student editor Lyle MacArthur and then, using the moral reasoning model outlined in Chapter 3, render a judgment on whether you will publish the results of Southwestern State University's faculty evaluations.
