



*Office of the Dean of Students*

DATE: December 7, 2009

TO: Academic Council (c/o Dr. Richard Dewitt)  
University Council (c/o Mr. James Fitzpatrick)  
Fairfield University Student Association (c/o Jeffrey Seiser '10)

FROM: Thomas C. Pellegrino, Associate Vice President for Student Affairs and Dean of Students

RE: The Mirror

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The following is submitted as a partial reply to the petition submitted to Academic Council by Professor Jim Simon. At this time (and given discussions to date) I am purposefully limiting my comments here to:

- (1) a recommendation concerning the Harassment/Equal Educational Opportunity policy; and
- (2) a statement concerning my support for the prospective Advisory Committee for the newspaper, which has been previously addressed by Father Paul Fitzgerald.

The issues surrounding the student newspaper, its relationship with the University, and the various opinion pieces submitted to the Council are matters that require and deserve a more detailed response than is contemplated by this memorandum. I would therefore invite and welcome the Council to have me present on these issues in a broader, more detailed fashion at its next regular meeting in the spring.

***Recommendation to establish a working committee to review and make recommendations on the Harassment/EEO Policy:***

In the spring of 2005, the Academic Council created an ad hoc committee to address issues of academic freedom and freedom of expression. The end-result of this action was a group of four representatives from both the academic division and the student affairs division (specifically, Joy Gordon, Lucy Katz, Paul Lakeland, and myself) revising/creating the language of the policies on Academic Freedom and Free Expression that are currently contained in the Student Handbook. This was a positive process that spoke directly to the benefits of exercises in shared governance. When that process was undertaken, however, no similar effort was undertaken to review the University's Harassment/Equal Educational Opportunity Act. I would recommend that effort occur now.

I would recommend a similar working group comprised of representatives from academics and student affairs to review our policy, audit best practices at comparable institutions, and make recommendations regarding the Harassment and Equal Educational Opportunity policy, with a suggested focus on at least these general areas:

- What is the relationship between the Harassment/EEO policy and our policies on Academic Freedom and Freedom of Expression? Does our current language adequately address this relationship?
- What is the scope of the Harassment/EEO policy (e.g., individuals versus groups; its relationship to student media, etc)?

- What are the current mechanisms for addressing complaints filed under the Harassment/EEO policy? and Should they be reviewed/expanded? (e.g., Many institutions specifically provide complainants with confidential mechanisms, such as mediation as a first step approach to resolving complaints before more formal processes are triggered. Mediation was proposed in this instance, but that mechanism is not specifically offered or suggested to students in our policy. Should it be?)

***Statement in Support for an Advisory Board:***

*The Mirror* was one of the first examples of a living and learning initiative on our campus with cross-divisional involvement. That is a positive feature and should be maintained. However, there is a counterbalancing need to have a candid assessment of the roles that individuals and departments play with respect to the paper and the impact those are having on the experience.

We need to examine how we can best balance the policies we have established for the benefit of our community (e.g. the harassment/EEO policy) against the need to have a paper that is free from advance approval of copy, free from arbitrary action, and able to enjoy the full protections of free expression. The school newspaper is not granted immunity from University policy simply by the fact that it is a newspaper. Yet, we recognize that the newspaper, like other media, presents an invaluable opportunity for learning and that often times presents itself in the form of mistakes – sometimes benign, sometimes significant in nature. It is precisely in this regard that we recognize there are critical roles to be played by individuals in both the academic as well as student affairs divisions with respect to the paper.

We now have an opportunity to engage in what I believe to be an important exercise in system redesign. An important first step has already been taken with respect to this. In a recent letter to the University community, Rev. Paul J. Fitzgerald, S.J., our Senior Vice President for Academic Affairs, offered the following observation with respect to an advisory board:

*It has been suggested that an Advisory Board be created. I see a real value in such a group, made up of on- and off-campus people with interest and expertise, chosen with the accord of the student editors. They could conduct post-publication and post faculty advisement review to help the student writers and editors to continue to learn their craft and hone their skills. I would welcome this additional educational support for our students as they exercise their rights and responsibilities as independent journalists within and for the Fairfield University community.*

This is a critical step forward, one that I have proposed and endorsed for several years now. I am pleased to note that there is agreement in principle by both the editorial staff of *The Mirror* as well as its current advisors to pursue the creation of such an advisory board. Work will need to be done here. I would anticipate that process being spearheaded in the coming semester by the Office of the Senior Vice President for Academic Affairs in collaboration with appropriate partners in the College, the Dean of Academic Engagement, and from other areas both within and outside the academic division. It is my intention to continue the full funding and support of the newspaper while SrVP Fitzgerald pursues this important initiative.

By looking into our system design for advising and supporting the paper, we will be able to better demarcate the role that student affairs, academics, and the advisory board play in responding to the many and varied claims/concerns/questions that may be raised towards the paper in the future. An emphasis on transparency, collaboration, and an eye towards the interests of the students will be critical if this exercise is to be successful.

I would close by saying that the current “conflict” that we have experienced regarding the paper has been difficult for all involved. Certainly, I have strong opinions as do others. But I also recognize that this conflict is a catalyst for improvement, and that renders it a positive experience. In that regard, the students involved on both sides of the discussion deserve not only our praise but our commitment to now focus our combined energies on what is in their best living and learning interests.

TCP/rs

cc: Dr. James Simon  
Rev. Paul Fitzgerald, S.J.  
Dr. Mark Reed  
Dr. Robbin Crabtree