

# **Strengthening Procedures around Confessional Commitment and Academic Freedom at Calvin College**

**(FINAL, as approved at the May 2010 meeting of the Board of Trustees)**

## Summary

This document offers three clusters of proposals to strengthen Calvin's existing policies regarding confessional commitments and academic freedom.

### **Cluster A is designed to raise awareness and fine-tune understanding of Calvin's existing policies regarding confessional commitments and academic freedom.**

1. Develop an expanded explanation of Calvin's academic freedom policy.
2. Clarify the faculty handbook statement regarding the *Form of Subscription* and the role of the Professional Status Committee.
3. Revise the Professional Status Committee (PSC) mandate to state its role in promoting healthy practices of confessional commitment and academic freedom.
4. Establish a confessional commitments and academic freedom subcommittee of PSC (with Board of Trustees [BOT] representation).
5. Institute recurring joint training sessions for faculty and board on academic freedom and confessional subscription.
6. Add text in the BOT and faculty handbooks to describe a learning-centered, high-trust approach to constituent expressions of concern.

### **Cluster B is designed to strengthen our proactive work on challenging topics.**

7. Revise faculty faith and learning statement requirements to encourage more engagement with Calvin's policy on confessional commitment and academic freedom. (*Note: this process has been underway in PSC for some time.*)
8. Develop a set of constructive guiding questions for both informal and formal work on controversial topics.
9. Develop a repertoire of suggested processes for proactive work on challenging topics, based on the best informal existing practices.

### **Cluster C is designed to strengthen our work when confessional difficulties and boundary issues arise.**

10. Develop BOT subscription policy.
11. Clarify the role of faculty members and administrators in personnel cases.
12. Clarify a process for anyone with a question about the meaning or implications of the confessions and for faculty members who have confessional difficulties.
13. Develop procedural guidelines and criteria regarding when the BOT would approach Synod.

In addition, PSC is at work on changes in the judicial review process.

**Explanation of Terms and Abbreviations**

Shared Governance: Refers to the existing governance structure at Calvin College as described in the *Handbook for Teaching Faculty* and the *Board of Trustees Handbook*

BOT: Board of Trustees

PSC: Professional Status Committee

Academic Administrator: Refers to the president, provost, deans in the academic division, department chairs and directors of programs, centers, and institutes

## **I. Assessing Current Policies, Governance Structures, and Practices**

Calvin College strengthens confessional integrity and academic freedom through a set of (1) approved policies, (2) formal governance structures, and (3) recurring formal procedures and informal practices.

### **A. Strengths**

In general, the policies, structures, and practices around confessional commitment and academic freedom serve Calvin College very well.

Calvin has a long history of responding to constituent complaints in ways that both honor the legitimacy of such communication from supporters of the college and protect academic freedom. Difficult topics often come to us through a complaint of a student, parent, congregation, or constituent. While some complaints are based on misinformation which can be easily corrected and others are based on ill will, many are well-meant expressions of genuine concern for the college, often about a topic that is of current and vital interest for the Christian community. Calvin faculty, staff, and administrators have long realized that a complaint is often a fertile opportunity for teaching and learning: an opportunity for the college to learn from constituent responses and questions, to communicate the nature of work at the college, and to hone understanding about challenging topics. We have learned that the best outcomes for such conversations are those in which an inquirer later reports “I’m glad I asked. I really do see this now from another, more biblical, point of view,” or where the faculty or staff member reports “I’m glad you raised this. I hadn’t been aware of all the ramifications of my view, and I’ve now refined it to take other concerns into account,” or where both later say “we disagree, but we remain open to learning from each other” or “I realize that I need to learn more and think further about any position I advance.” Not every inquiry will end in this way. But we have learned to give such questions every chance to end with a positive outcome.

There is a fairly strong, if unwritten, set of best practices around these communications, developed over time by deans, provosts, department chairs, and others. These best practices include:

- Respond to complaints from identified, not anonymous sources,
- Respond by clarifying all the facts first,
- Consult with those involved, and with experts on the topic of concern on a scale that is appropriate to the concern,
- Look for opportunities to explain the mission of the college, and, when appropriate, Calvin’s policies on academic freedom and confessional commitment,
- Allow the faculty member in question ample opportunity to describe his or her work. When possible, ask the faculty member in question to work in consultation with others to respond to the constituent.
- Save the response for future reference, a valuable practice given the way that controversial topics tend to recur.
- Initiate, when possible, face-to-face conversations, which are often best for strengthening mutual understanding,

It is helpful to reaffirm this high-trust approach as the standard operating procedure of the college. Calvin has a strong track record of supporting faculty in their work. The board and administration regularly defend Calvin faculty members and the importance of academic freedom in many venues. College faculty members enjoy greater support than many colleagues at other institutions, secular or Christian.

Further, Calvin has a strong track record of past documents related to difficult issues. These documents pass down the learning from one generation to the next. They clarify key issues and, where possible, articulate common approaches or institutional policy. These documents come in many different forms, appropriate to the scale of the events, or complaints, or cultural moments which generated them. For example,

- The *Handbook for Teaching Faculty* includes a statement on faith and science. This statement was a way of articulating common convictions in a time of significant controversy. It was a tool for transparently communicating with all stakeholders (both constituents and prospective faculty members, for example) what common commitments would guide teaching and learning in this area.
- Relatedly, former Provost Joel Carpenter has described on Calvin Matters a standard letter he prepared to respond to constituent concerns about faith and science. Similarly, members of the biology department have recently developed a document which describes how some individual faculty members integrate faith and science, <http://www.calvin.edu/academic/biology/about/creation-evolution-statement-10-09.pdf>
- *From Every Nation* is a college-wide response to the pernicious problem of institutional racism. It is a prophetic call for us to become a more just and inclusive campus.
- In 2004, the Sexuality Taskforce prepared a substantial document about curricular and co-curricular issues at Calvin related to sexuality. This has been very influential in establishing the philosophy for student life programming, and for guiding teaching in this area. Some faculty members have commented that the report would have been more effective had it been developed in consultation with faculty senate and designed for a wider audience of Calvin faculty, staff, and students.

There are also less formal examples of responding to challenging issues. Every time a new admissions counselor asks “how shall I respond when people ask about Calvin’s approach to \_\_\_\_” and every time a prospective faculty member asks a department, “how does Calvin handle \_\_\_\_,” the answer is a form of institutional representation that gathers up learning from past discussions.

## **B. Needs**

Despite these strengths, the May 2009 board statement has led to several conversations across campus about how this institutional memory and these helpful practices cannot be taken for granted. More specifically, these conversations have affirmed that Calvin’s existing policies (confessional subscription and academic freedom) and governance structures (PSC, BOT, Faculty Senate) are strong, but that several operating practices and procedures could be strengthened. The following specific needs and concerns have emerged in our discussions together over the past months:

### ***Raising Awareness and Fine Tuning Calvin’s Existing Policies***

We need greater awareness of, common understanding of, and ownership of Calvin’s existing policies of confessional subscription and academic freedom by faculty, administration, and the Board of Trustees. Further, we need greater awareness of our existing philosophy of responding to constituent complaints. This largely implicit philosophy has often worked well, but not everyone realizes it or understands it. Broader ownership of this high-trust, constructive approach would minimize the likelihood of low-trust responses to difficult topics in the future.

### ***STRENGTHENING THE PERSPECTIVAL WORK ON CHALLENGING TOPICS***

We continually need to strengthen a confessionally-grounded perspectival approach to Christian teaching and learning. Peer review of teaching and research is strong in many departments, but it

could be strengthened in others, so that college-wide interests are consistently advanced in each department. We also need an expanded repertoire of established proactive processes for addressing challenging topics, appropriate to the scale and nature of the topic. The 2009 board statement was intended to be proactive, but without an established process in place, its intent and status was not clear.

## ***RESPONDING TO CONFESSIONAL DIFFICULTIES AND BOUNDARIES***

We need an institutional repertoire of responses to confessional difficulties that includes some less confrontational approaches than “charges of unorthodoxy” and “a gravamen.”<sup>1</sup> Difficulties will certainly arise—as they have for every generation of Reformed believers since the Reformation. But at present, these two channels do not appear to be sufficient to promote healthy practices of confessional commitment and mutual accountability. They may be perceived to be covenant breaking acts, rather than the covenant-strengthening processes they were designed to be. As a result, faculty members, the Board of Trustees, and administrators (president, provost, deans, and department chairs) have too limited a repertoire of actions to respond to challenging topics. This can lead the college, at any level, to either under- or over-react to specific situations. This, in turn, can work to undercut the trust that is the necessary foundation of our work together.

Relatedly, we need to clarify our process for “charges of confessional unorthodoxy,” especially regarding the role of administrators in the process, and the circumstances under which the Board of Trustees would address synod regarding an interpretation of the confessions.

In sum, we need the best possible set of procedures to guard and enhance both confessional commitment and academic freedom. The current situation affords us a rare opportunity to engage in this work.<sup>2</sup> As Nicholas Wolterstorff has suggested, “almost always it is in the procedure, not in the qualifications [of academic freedom] as such, that the injustice lies [when there is an infringement of academic freedom].”<sup>3</sup> Great care must be taken to avoid both over and under responding to specific situations. Thus, imagining new and stronger approaches holds promise for our future work together.<sup>4</sup>

## **II. Common Values**

As we envision addressing these three needs, the following values emerge naturally out of our common mission:

- A. Our Reformed Christian identity and commitment to the **authority of scripture** should shape the tone and content of each discussion.
- B. Our standard mode of operation should be with **high-trust** communication patterns that presume good motives and confessional integrity on the part of all parties: faculty, administrators, and the Board of Trustees. We need to honor each other by following due process scrupulously. We need to have sufficient processes in place not only for the large scale issues, but also for dealing with what seem like minor disagreements. Calvin constituents

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<sup>1</sup> “Charges of confessional unorthodoxy” is a formal college judicial procedure (See the *Handbook for Teaching Faculty* 6.3). A “gravamen” is the formal process by which someone who signs the form of subscription expresses a matter of concern or difficulty with the confessions.

<sup>2</sup> This would not be the first time that procedural moves came about as the result of controversy. The “charges of confessional unorthodoxy process” we have today was reshaped by the college Board of Trustees in Feb. 1992, following the Howard Van Till case. See Harry Boonstra, *Our School*, 133.

<sup>3</sup> Nicholas Wolterstorff, “Academic Freedom in Religiously Based Colleges and Universities,” 253.

<sup>4</sup> This is so necessary because, in the words of some leadership literature, “actions follow pre-legitimated paths” (Scott Cormode, *Making Spiritual Sense: Christian Leaders as Spiritual Interpreters*, 41).

should be assured that Calvin faculty members are teaching and writing in ways that are consistent with the confessions. Calvin faculty should be able to trust that those who may assess their work will be doing so on the basis of discerning biblical reasoning, using established processes, deeply aware of Calvin's policies on academic freedom.

- C. Every topic presents an opportunity for **individual and communal learning**. We should envision processes that maximize learning opportunities for all involved, particularly with reference to scriptural texts and confessional themes. We should be willing and ready to engage in the difficult and challenging conversations constructively, aiming to model ways to engage in difficult conversations well. We should not avoid disagreement (an unhealthy fear of disagreement can be as destructive as a low trust environment, and they are often mutually reinforcing). We also should work actively to prevent unnecessary or destructive conflict. Well-formed difficult conversations allow for expressions of vulnerability, for people to change their mind (in multiple directions), and for expressions of regret and forgiveness.<sup>5</sup>
- D. We should aim for **transparency and clarity** across the institution, communicating the same messages about difficult topics and about academic freedom to students, staff, faculty, BOT, and constituency. As many communications as possible should be designed for all audiences. The best work on challenging topics will pursue an honest, forthright account of exactly where any disagreement lies. When we disagree, we are obliged to present opposing viewpoints in an accurate way, helping those who hold opposing points of view to state their own position better.<sup>6</sup> Working together well does involve negotiating different mindsets and aptitudes: some prefer to dwell in ambiguity, some prefer clear and firm decisions; some love win-lose debates, others prefer consensus models of discussion.
- E. The best work on challenging topics will aim for a healthy balance of **consensus and efficiency**. A decision reached without sufficient attempts at articulating a consensus will likely not be long-lasting. A sentimental or simplistic goal of achieving complete consensus can weaken institutional mission. Whenever possible, processes need to be spacious enough to allow time for fresh thinking, for new relationships to emerge, and for learning to take place, while still allowing for the process to move toward resolution.
- F. Our work will be consistent with **Reformed polity** with respect to the confessions:
  - 1. The confessions serve (rather than replace or stand alongside of) the authority of scripture. They are derived from scripture, affirm the authority of scripture, and are to be judged in terms of their own faithfulness to scripture.
  - 2. The confessions interpret the confessions (this is parallel to the claim that 'scripture interprets scripture'). This means that that confessions are treated as an internally consistent interpretation of scripture, and that individual judgments about the meaning of

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<sup>5</sup> For an example of this, see the exchange between Alvin Plantinga and Howard Van Till in *Christian Scholar's Review* 21.1 (Sept. 1991): 8-45. As Harry Boonstra comments about this exchange, "What strikes one in this exchange is the tone of mutual respect, of courtesy, of trust" (*Our School*, p, 124).

<sup>6</sup> The following is brief summary of one approach to this topic, by a consulting group that works with high conflict situations. "...groups of people are energetic organisms. Every member of a given group holds some piece of a larger puzzle. In the process of decision-making, certain themes begin to emerge. A popular viewpoint takes shape. At this point, we typically go for a crisp conclusion. We take a vote, throw out what doesn't fit, and move on to the next thing. But this approach ignores important subtleties: pieces of the puzzle that aren't immediately visible, but that are essential to a thorough, durable resolution. Some group members will inevitably take on the role of keeping those elements in focus. These are the people we typically reject as dissenters—but in fact, they're performing a vital function. Their apparently contradictory viewpoints almost always turn out to rest on valuable and even indispensable insights. So drawing out the minority view has a more profound function than merely pacifying the dissenters. It's crucial to developing a complete and grounded decision. In other words, the minority view isn't a bothersome obstacle to agreement: it's a key ingredient in sound decision-making." <http://www.deep-democracy.net/How.htm>.

the confessions need to take into account the teaching of the confessional documents as a whole—not just single confessional claims.

3. The church expects that its congregations, classes, agencies, educational institutions, as well as all who sign the *Form of Subscription* (office bearers and professors) will live in harmony with the confessions and work to promote confessional integrity. Each of these institutions and individuals may quite regularly make what might be called “provisional confessional judgments.”
4. While individual persons are encouraged to engage with the confessions and discern how best to work in ways that are consistent with them, only duly constituted deliberative bodies may render authoritative judgments about the meaning of the confessions (*Church Order Supplements*, article 5)
5. The confessions are documents that belong to the church. For the ongoing life and work of the CRC and its agencies and educational institutions, the authority to make binding judgments about the meaning and implications of the confessions is assigned to synod. Under the authority of synod, the church delegates authority with respect to the functioning of the confessions for the life of the college to the Board of Trustees (as is made clear in the particular version of the Form of Subscription which faculty members sign). The Board of Trustees, in turn, delegates authority to the college’s governance system, in which decisions about personnel and confessional interpretation are assigned to PSC and in which faculty senate discusses, receives for information, endorses, or approves matters of college-wide significance depending on the nature of a specific action.
6. Decisions of synod, the Board of Trustees, and PSC are healthiest and have the strongest possibility for reception when they are generated through highly consultative, deliberative processes based on the most accurate information.

“In my observation, those institutions which show the greatest difficulty in handling issues of academic freedom are the ones which grow out of churches with a Congregationalist, as opposed to a Presbyterian, form of church government. (Or, if these terms are not to one’s taste, try ‘doctrinalist-statement’ college versus college in a confessional tradition). Though both lodge final authority in a Board of Trustees, in the ‘congregationalist’ institutions there is the established analogy that a church board can dismiss a pastor by its own internal decision. The ‘presbyterian’ institutions are more likely to seek communal decision-making and thus attend to the collective wisdom of the faculty” (187).

—Ed Ericson, Jr., “Academic Freedom: Keeping it Complex.”  
*Christian Scholar’s Review*, 21.2 (Dec. 1991): 182-190.

The processes set forth above, we believe, illustrate the importance of high-trust processes that have been identified, in a number of recent studies, as critical elements in effective academic governance.<sup>7</sup> They strengthen the institution and enhance trust in light of the following characteristics: (a) they involve all relevant parties, (b) they begin by gathering the best available information about the matter under review, (c) they identify areas of agreement and disagreement

<sup>7</sup> See Adrianna Kezar, “What is More Important to Effective Governance: Relationship, Trust, and Leadership, or Structures and Formal Processes,” and Myron L. Pope, “A Conceptual Framework of Faculty Trust and Participation in Governance,” in William G. Tierney and Vicente M. Lechuga, eds., *Restructuring Shared Governance in Higher Education* (Jossey Bass, 2004); D. Gambetta, *Trust: Making and Breaking Cooperative Relations*. Cambridge: Basil Blackwell, 1988; R. C. Mayer, J. H. Davis, and F. D. Schoorman, “An Integrative Model of Organizational Trust,” *Academy of Management Review* 20 (1995): 709-734; A. K. Misra, “Organizational Response to Crisis: The Centrality of Trust,” in R. Kramer and T. Tyler, eds., *Trust in Organizations* (Thousand Oaks, CA: Sage 1996); D. Rousseau, S. B. Sitkin, R. Burt, and C. Camerer, “Not So Different After All: A Cross-Discipline View of Trust,” *Academy of Management Review* 23.2 (1998): 393-404; R. B. Shaw, *Trust in the Balance: Building Successful Organizations on Results, Integrity, and Concerns* (Jossey Bass, 1997); and W. G. Tierney, “Organizational Culture in Higher Education,” *Journal of Higher Education* 59.1 (1988) 2-21; V. Braithwaite and M. Levi, eds., *Trust and Governance* (New York: Russell Sage Foundation, 1988).

as forthrightly and precisely as possible, (d) they acknowledge the importance of cultural differences in shaping discussions, (e) they allow sufficient time for careful consideration of opposing views and of new information, (f) they articulate findings as clearly as possible, (g) they allow for subsequent review of materials and findings by appropriate parties, and (h) they approach the views of both complainants and faculty members against a larger community context.

The same confession whose meaning and implications we wrestle with so clearly and beautifully articulates this vision: "God's will is that I never give false testimony against anyone, twist no one's words, not gossip or slander, nor join in condemning anyone without a hearing or without a just cause. Rather, in court and everywhere else, I should avoid lying and deceit of every kind; these are devices the devil himself uses, and they would call down on me God's intense anger. I should love the truth, speak it candidly, and openly acknowledge it. And I should do what I can to guard and advance my neighbor's good name" (HC 112). Many of these values are also beautifully articulated in a different form in the core curriculum materials related to the virtues.

These high ideals need to be strengthened not only in formal procedures, but also in informal practices. Consider, for example, the possible responses of a department chair to a colleague who expresses academic freedom-related concerns about a controversial topic he or she intends to address in publication and/or teaching. The chair could say [pardon the hyperbole in the examples] "that's no big deal, we have academic freedom," or "don't you dare teach that," or "do whatever you want, just don't tell me" or "it's safer and less stress to be here without raising tough issues." But these responses are all trust-eroding responses, eroding trust in either the faculty member or the institution. A high-trust response might sound a bit more like this: "let's gather the best articles in the field about this topic and talk about them" or "let's gather 2-3 sample class discussion approaches from colleagues and review them" or "let's consult with our expert colleague." This kind of positive, high-trust approach already happens. Perhaps it could happen more. And perhaps we could think about how it could be "scalable," useful at every institutional level of discussion or review. That is, it should be the first response to a challenging topic at every level, whether the initiative comes from a faculty member, administrator, or the Board of Trustees.

### **III. SPECIFIC PROPOSALS**

Following consultations with PSC and Faculty Senate, HCL recommends that the Board of Trustees special committee request the Board of Trustees to approve the following recommendations and send each of them to the appropriate body (PSC, Committee on Governance, the Faculty Senate, and/or the Board of Trustees) for consultation and approval through the duly appointed processes.

#### ***Cluster A: Learning About Calvin's Existing Academic Freedom Policy***

Recommendations in this section are designed to respond to the following statement of need: "*We need greater awareness of, common understanding of, and ownership of Calvin's existing policies of confessional subscription and academic freedom by faculty, administration, and the Board of Trustees. Further, we need greater awareness of our existing philosophy of responding to constituent complaints. This largely implicit philosophy has often worked well, but not everyone realizes it or understands it. Broader ownership of this high-trust, constructive approach would minimize the likelihood of low-trust responses to difficult topics in the future.*"

#### **Recommendation 1: an Expanded Description of Calvin's Existing Academic Freedom Policy**

That the Faculty Senate recommend that the Board of Trustees approve "Confessional Commitments and Academic Freedom at Calvin College" as an interpretation of Calvin's existing academic freedom policy.



## Grounds

- a. This document accurately clarifies Calvin's existing academic freedom policy.
- b. Faculty Senate and Board of Trustees approval will create a stronger basis for shared governance based on a common understanding of Calvin's existing confessional commitments and academic freedom policy.
- c. Faculty Senate and Board of Trustees approval will give the document greater standing in future workshops or seminars on academic freedom for faculty and board members.

### **Recommendation 2: Amend Faculty Handbook 3.6.1.1.**

That section 3.6.1.1. of the *Handbook for Teaching Faculty* be amended as follows:<sup>8</sup>

The current text reads:

Calvin College faculty members are required to sign a synodically approved Form of Subscription in which they affirm the three forms of unity—the *Belgic Confession*, the *Heidelberg Catechism*, and the *Canons of Dort*—and pledge to teach, speak, and write in harmony with the confessions.

Proposed addition:

**The current form of subscription<sup>9</sup> reads as follows:**

**We, the undersigned, faculty of Calvin College, an institution of the Christian Reformed Church of North America, by means of our signatures declare truthfully and in good conscience before the Lord that we sincerely believe that all the articles and points of doctrine set forth in the *Belgic Confession*, the *Heidelberg Catechism*, and the *Canons of Dort* fully agree with the Word of God.**

**We promise therefore to teach these doctrines diligently, to defend them faithfully, and not to contradict them, publicly or privately, in our preaching, teaching, or writing.**

**We pledge moreover not only to reject all errors that conflict with these doctrines, but also to refute them, and to do everything we can to keep the church free from them.**

**We promise further that if in the future we come to have any difficulty with these doctrines or reach views differing from them, we will not propose, defend, preach, or teach such views, either publicly or privately, until we have first disclosed them to the Board of Trustees for examination. We are prepared moreover to submit to the judgment of the Board of Trustees, realizing that the consequence of refusal to do so is suspension from office.**

**We promise in addition that if, to maintain unity and purity in doctrine, the Board of Trustees considers it proper at any time—on sufficient grounds of**

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<sup>8</sup> Changes to section 3 of the *Handbook for Teaching Faculty* are to be made by the Board of Trustees in consultation with Faculty Senate. See *Handbook for Teaching Faculty* 1.7—Binding Nature of Handbook: "To the extent consistent with the college's Articles of Incorporation and the Bylaws of Calvin College, the rules and regulations set forth in this handbook shall be binding on the College, its Board of Trustees, officers, and faculty. Changes may be made to this handbook by the Board of Trustees in consultation with the Faculty Senate and the president. (Changes to the Faculty Bylaws, chapter 2 of this handbook, also require a 2/3 vote of the enfranchised faculty.) Unless otherwise specified in the handbook, changes are effective on September 1 following the Board meeting at which the changes are made."

<sup>9</sup> To be signed by professors, ministers, evangelists, elders, and deacons when ordained and/or installed in office. The original *Form of Subscription* was adopted by the Synod of Dort in 1618-1619. The translation appearing here was approved by the Synod of 1912 and modified by the Synod of 1988.

concern—to require a fuller explanation of our views concerning any article in the three confessions mentioned above, we are always willing and ready to comply with such a request, realizing here also that the consequence of refusal to do so is suspension from office.

Should we consider ourselves wronged, however, by the judgment of the Board of Trustees, we reserve for ourselves the right of appeal; but until a decision is made on such an appeal, we will acquiesce in the determination and judgment already made.”

*This Form of Subscription* is based on the form used for church office-bearers, but clearly spells out that the college’s Board of Trustees, rather than a faculty member’s church council, is the body charged with confessional oversight for teaching, scholarly activities, and other college-related work.

Faculty members who are also church office-bearers sign a slightly different form with respect to their work as office-bearers which names the church council as the oversight body. In this situation, the faculty member works under the authority of two complementary oversight bodies: the college’s Board of Trustees provides oversight for the teaching, scholarly activities and other college-related work of the faculty member; the congregation’s council provides oversight for work related to the life of the local congregation. At the same time, the college recognizes that while these functions may be distinguished, they are also difficult to separate. For this reason, the Board of Trustees requests that when a faculty member who is also an office-bearer has “a difficulty with these doctrines or reaches views differing from them,” that this concern be disclosed both to the church council and to the Board of Trustees. The board commits to work with the church council to maintain the authority that is appropriate to each body.

For the work of the college, the meaning of subscription shall be determined according to the church order of the Christian Reformed Church (e.g., *Church Order*, Article 5, and its supplements), which currently reads:<sup>10</sup>

The person signing the *Form of Subscription* subscribes without reservation to all the doctrines contained in the standards of the church, as being doctrines which are taught in the Word of God. The subscriber does not by subscription to the confessions declare that these doctrines are all stated in the best possible manner, or that the standards of our church cover all that the Scriptures teach on the matters confessed. Nor does the subscriber declare that every teaching of the Scriptures is set forth in our confessions, or that every heresy is rejected and refuted by them. A subscriber is only bound by subscription to those doctrines which are confessed, and is not bound to the references, allusions, and remarks that are incidental to the formulation of these doctrines nor to the theological deductions which some may draw from the doctrines set forth in the confessions. However, no one is free to decide for one’s self or for the church what is and what is not a doctrine confessed in the standards. In the event that such a question should arise, the decision of the assemblies of the church shall be sought and acquiesced in.

The confessions are documents that belong to the church. For the ongoing life and work of the CRC and its agencies and educational institutions, the authority to make binding judgments about the meaning and implications of the confessions is assigned to synod. Under the authority of synod, the church assigns authority for the life of the

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<sup>10</sup> From the majority report of the study committee reporting to the 1976 Synod of the Christian Reformed Church, edited for gender inclusiveness.

college to the Board of Trustees. The Board of Trustees, in turn, assigns authority within the college's governance system, in which decisions about personnel and confessional interpretation are assigned to the Professional Status Committee (PSC).

When the Synod of the Christian Reformed Church has issued a formal interpretation of the confessions, that interpretation shall be binding for Calvin College. When a disagreement about confessional interpretation arises, PSC may, after reviewing prior synodical action on the topic and in consultation with experts in confessional interpretation, theology and church polity, recommend to the Board of Trustees (a) that the board issue a judgment about the meaning and implications of the confessions for the work of the college on the topic in question, and (b) what that judgment should be. PSC shall seek to make a recommendation that is consistent with the Christian Reformed Church's approach to confessional subscription in general and to the issue at hand. Any judgment of the Board of Trustees is in turn subject to the judgment of the synod of the Christian Reformed Church.

### Grounds

- a. Articulating the nature of subscription is necessary, given that various Reformed denominations hold different views about the meaning of subscription, some of which are mutually incompatible, and given that various Reformed denominations interpret the meaning of the confessions for contemporary Christian life and witness in different and sometimes mutually incompatible ways.
- b. This provision makes clear that no individual person shall determine the meaning of the confessions.
- c. This recommendation is consistent with the governance procedures of the college regarding faculty appointments, where the lines of authority move from the synod of the Christian Reformed Church to the Board of Trustees to PSC.
- d. At least some faculty members have not been aware of the interpretation of subscription offered by the CRC. This material is helpful for the college, offering official warrant for the commonly offered advice that signing the form does not bind the signer to every assumption of the sixteenth century writer, while still preserving the integrity of confessional subscription. It avoids an overly narrow or overly lenient view of subscription.

### **Recommendation 3: Revised Mandate for PSC**

To recommend to the governance committee that the mandate for PSC be changed by adding a point describing the role of PSC in promoting healthy practices of confessional commitment and academic freedom.

The current PSC mandate reads:

The Professional Status Committee shall function as the principal agent of the college faculty in matters pertaining to the status of the professional staff of the college. It is the responsibility of this committee, working in close cooperation with the administration, to ensure that the college faculty and those with faculty status possess a firm Reformed Christian commitment, are academically and professionally qualified, and maintain their academic and professional competence.

Although the broad duties of the Professional Status Committee are stated in the mandate above, certain specific duties shall be assigned to the committee as a means of implementing this broad mandate. These duties shall include, but not be limited to, the following:

1. Develop and continually review appointment, reappointment, and promotion guidelines and procedures. Ensure the consistency of these guidelines and procedures with the college's mission and with the specially published goals and mandates of the college, notably *From Every Nation*. Recommend changes when necessary. This committee also shall maintain, and have readily available to the faculty, a document outlining appointment and reappointment guidelines and procedures. This document shall precisely distinguish the role of the departments, the Professional Status Committee, the faculty, the administration, and the Board of Trustees.
2. Review recommendations for new appointments to the college teaching faculty and to other positions carrying faculty status and recommend to the president and the Board of Trustees the appointment of those it finds qualified. To assure greater all-college involvement in the appointment procedures, the committee shall canvass the faculty for announced vacancies. There are two exceptions to this procedure: (1) the appointment of the president of the college shall follow the procedure specifically established for that position, and (2) the appointment of librarians shall be reviewed by the College-Seminary Library Committee; the Professional Status Committee shall be concerned with those aspects of the librarian's position not directly related to technical librarianship. When processing recommendations the committee shall prepare and present to the faculty and the Board of Trustees a written resume about the candidate.
3. Review recommendations for reappointment or promotion, and render its advice to the President and provost for appointments to the college teaching faculty and to other designated positions.
4. Review reports from the provost and academic deans regarding the efforts of departments to encourage faculty understanding and advancement of Reformed Christian perspectives on teaching and learning, and devote particular attention to departments' progress in addressing needs and goals identified in such documents as *From Every Nation* (2004) and the *Gender Concerns Task Force Report* (1991). Render advice via the provost and academic deans to departments regarding further progress in these areas.
5. **[NEW] Review college-wide efforts to promote healthy practices of confessional commitment and academic freedom. Respond to internal and external communications about academic freedom and confessional subscription. When necessary, recommend (a) that the Board of Trustees offer a judgment about the meaning and implications of the confessions, subject to the authority of the synod of the Christian Reformed Church, and (b) what that judgment should be**
6. Review recommendations of the Faculty Development Committee for sabbaticals and study grants for members of the college teaching faculty and other designated officials.
7. Review and propose policies involving the college workload and outside employment of faculty.
8. Review requests for additional faculty positions, and advise the administration concerning these requests, using guidelines developed by this committee.
9. Review cases involving dismissal, demotion, or formal reprimand affecting status of professional staff members and advise the administration. Such reviews shall be performed according to the faculty policies, standards and procedures detailed in the Faculty Handbook for addressing allegations of various kinds of misconduct, unacceptable performance, or confessional unorthodoxy.
10. Establish and maintain programs designed to ensure the continuing competence of the professional staff.

### Composition:

Seven or eight members: five tenured faculty members, one as secretary and reporter with a goal that at least one of whom will be a person of color; the Provost; the Dean for Multicultural Affairs if none of the faculty members is a person of color, and the President, who shall be chairperson. The three academic deans shall sit with the committee on personnel matters related to their divisions but shall be without vote. The President of the college, in consultation with the Provost and the Academic Deans, shall nominate to the Committee on Governance for ratification the faculty members for service on the Professional Status Committee. **Faculty members shall be chosen who represent different academic disciplines and who have complementary areas of expertise, including those who are knowledgeable in matters related to biblical and confessional interpretation. When necessary, PSC shall also consult with experts in biblical and confessional interpretation.**

### Grounds

- a. This additional material in the mandate makes explicit what is already the case: that PSC is the governance body with responsibility for matters related to academic freedom.
- b. A clarification of the composition of the committee makes explicit what is already the case: PSC is comprised of faculty members from different disciplines and areas of expertise, including expertise in theology.

### **Recommendation 4: Confessional Commitments and Academic Freedom Subcommittee of PSC**

To recommend [to PSC, the Committee on Governance, and the Board of Trustees] that PSC establish a subcommittee on confessional commitments and academic freedom with the following mandate and membership:

### Mandate

The Confessional Commitments and Academic Freedom Subcommittee shall prepare materials for regularly scheduled workshop or seminar sessions on academic freedom for the faculty and Board of Trustees, ensure the maintenance of a resource library of the best materials on academic freedom and Christian higher education, and advise the Board of Trustees and PSC on matters of academic freedom as necessary.

*[Note: Thus, the group would be an advisory group only, without a formal role in personnel matters.]*

### Membership

The subcommittee shall be constituted each academic year and shall consist of five or six members:

- one or two members of the Board of Trustees, appointed by the Executive Committee of the board
- the president of the college
- either the provost or an academic dean, appointed by PSC; typically this member shall chair the subcommittee
- one faculty member currently serving on PSC, appointed by PSC
- one additional member of the faculty, appointed by PSC

### Grounds

- a. This subcommittee would strengthen the collaboration of the board, faculty, and administration around issues of academic freedom, giving opportunity for regular conversations among representatives of each.
- b. The subcommittee would help the board, faculty, and administration sustain an ongoing, constructive conversation about academic freedom, an essential practice recommended in many essays on shared governance and academic freedom (e.g., Anthony J. Diekema, *Academic Freedom and Christian Scholarship*).
- c. The committee would be a key resource to PSC and the administration for issues related to academic freedom.

### **Recommendation 5: Joint board-faculty development plan regarding learning about academic freedom**

- a. That the following text be added to the *Handbook for Teaching Faculty and Board of Trustees Handbook*: **The faculty, administration, and Board of Trustees at Calvin College work to promote a common understanding of confessional subscription and academic freedom through regularly scheduled board-faculty workshops on academic freedom led by PSC through its designated subcommittee.** [Note: see recommendation 4 re the subcommittee].
- b. That the Kuiper Seminar for faculty, Board of Trustees orientation, faculty senate orientation sessions, and the fall conference program include sessions on Calvin's policies on confessional commitment and academic freedom, based on the document approved in recommendation 1.

### Grounds

- a. Having a common understanding of academic freedom and confessional subscription is essential for effective shared governance at Calvin College.
- b. Continual turnover of board and faculty members necessitates regular sessions for learning.

### **Recommendation 6: Awareness of Calvin's Approach to Expressions of Concern regarding Faculty Compliance with Confessional Subscription**

That the following text be added to the *Handbook for Teaching Faculty and Board of Trustees Handbook*:

**Throughout Calvin's history, the board, administration, and faculty have regularly received commendations and complaints from constituents. At its best, this pattern of communication is a healthy sign of the covenantal commitment to the college's mission by its stakeholders. The college views these complaints, commendations and expressions of concern as a significant opportunity for teaching and learning—to listen to its stakeholders, to learn from their responses and questions, to communicate the nature of the college's mission, and to hone understanding on challenging topics in the broader Christian community.**

**Complaints about matters of confessional integrity, whether they arise from within or outside the college, should first be directed to the Provost's Office. The dean conveys the concern to the faculty member, obtains relevant information, and clarifies any misunderstanding that may have led to the complaint. If the complaint raises a substantive issue, the dean, in consultation with the provost, works first through informal procedures, using the questions in (3.6.4.1.2) as guide. When these informal procedures do not achieve a satisfactory resolution, the dean, the faculty member in question, or other members of the**

**Calvin community may request that PSC engage in a formal process for review (3.6.4.2.2). In cases of non-compliance with confessional subscription, the college shall follow the process described in (6.3).**

#### Grounds

- a. Christians have a responsibility to live well together within the household of faith, cultivating understanding and forbearance with each other as part of our Christian witness in the world.
- b. Calvin has a strong record of responding to constituent complaints in this constructive way.
- c. This constructive, high-trust approach cannot be assumed, and should be articulated in key governance documents.
- d. Without naming this high-trust, constructive approach, it is easy to slip into the kind of low-trust, confrontational or defensive rhetoric that is occasionally experienced at Calvin and also pervasive in some educational institutions.

### ***Cluster B: Strengthening the “Centering” or “Perspectival” Function of the Confessions***

*Recommendations in this section are designed to respond to the following statement of need: “We continually need to strengthen a confessionally-grounded perspectival approach to Christian teaching and learning. Peer review of teaching and research is strong in many departments, but could be strengthened in others. We also need an expanded repertoire of established proactive processes for addressing challenging topics, appropriate to the scale and nature of the topic. The May 2009 board statement was intended to be proactive, but without an established process in place, its intent and status were not clear.”*

#### **Recommendation 7: Faculty Development**

That PSC incorporate the following provision in their forthcoming proposal on new guidelines for faculty faith and learning statements: **Tenure-track faculty who are preparing faith and learning statements for their first reappointment are ordinarily asked to reflect both on specific confessional claims and related biblical materials that ground their teaching and research and on the implications of these themes for the candidate’s teaching and scholarship.**

#### Grounds

- a. This exercise would encourage attention to the confessional documents in light of Calvin’s existing academic freedom policy.
- b. This exercise would strengthen the way the confessions and the biblical texts which give rise to them function as “centering” or “perspectival” documents in faculty teaching and research.

*[Note: this recommendation will likely become a part of a larger recommendation from PSC on Faith and Learning Statements].*

#### **Recommendation 8: A Common Set of Questions to Guide Informal and Formal Work on Controversial Issues**

That the following language be added to the *Handbook for Teaching Faculty* [perhaps as a part of the expanded section on academic freedom (3.6.4.)] and *Board of Trustees Handbook* [perhaps a new section M in section III]:

The college's policies on confessional subscription and academic freedom naturally lead to a set of common questions of central concern for the faculty, administration, board, and constituency when facing any difficult, controversial, or misunderstood topic. When controversial topics arise, the college encourages each relevant entity (e.g., the Board of Trustees, PSC, academic administrators, the faculty senate, and individual departments or faculty members) to ask the following guiding questions:

- 1. SCRIPTURAL, THEOLOGICAL, CONFESSIONAL RESOURCES.** How can work on the topic in question be subject to and illuminate scriptural teaching? What scriptural texts and themes are relevant to the discussion? What are the most significant historical resources on and interpretations of those texts and themes? What theological resources does the Reformed tradition offer on this topic? What specific confessional claims are relevant to the discussion? What particular positions on a given topic may be inconsistent with the confessions? What wisdom do various positions that may not be consistent with the confessions still offer? Are there aspects of the topic that are scripturally and confessionally clear, about which Calvin faculty are not free to express contrary positions? How can work on the topic promote the integrity of confessional subscription (whether by working in ways that are consistent with the confessions, by seeking to clarify their meaning, or—when necessary—working through the approved channels to change or augment them)?
- 2. CHRISTIAN COMMUNITY.** How could work on a given topic promise to strengthen the church and the broader Christian community? What are the particular insights or strengths that the Reformed tradition and Calvin College bring to this topic? What are potential weaknesses in Reformed approaches? What marginalized or disenfranchised members of the community could be intentionally brought into the conversation? What particular wisdom do they offer? How can work on the topic be done to minimize unnecessary and unhealthy consequences? What individuals or other institutional structures could best promote transparency and accountability for all members of the community while the work is being done? Are proactive external communications needed while the work on this topic is being done?
- 3. PEER REVIEW.** How can work on the topic benefit from collegial peer review both within and beyond the Calvin community, from those with expertise on the topic and from those with expertise in scriptural and confessional interpretation? What is the best current work on this topic in various Christian communities? Which disciplines have insights to offer? How might the Holy Spirit be using insights gained from scholarship in the disciplines to prompt the church to either strengthen or reconsider its approach on an issue, and how do we distinguish the promptings of the Holy Spirit from our own fallen desires?
- 4. CULTURAL AWARENESS.** How can different cultural perspectives shape insight on the topic? What challenges regarding cross-cultural or intercultural communication are present in work on this topic? How might the Holy Spirit be using insights from cross-cultural communication to prompt the church to either strengthen or reconsider its approach on an issue, and how do we distinguish the promptings of the Holy Spirit from our own fallen desires?
- 5. TRANSPARENT COMMUNICATION.** How can work on a given topic be explained in a transparent and constructive way to students and other stakeholders, including concerned ones?

These questions offer a constructive, confessionally grounded way for the college community to engage difficult and controversial topics.



*Note: A common set of questions can work to align both informal practices and formal processes for work on challenging topics (see also the references to this list of questions in the recommendations that follow). For example: groups of faculty members or departments in which work on a difficult topic is prominent may choose to work collaboratively on answers to these questions. Some departments may even request that PSC, the Board of Trustees or its academic affairs committee review their work on them. Academic deans or department chairs who are presented with a complaint about a faculty member's work may ask the individual faculty member or group of faculty members to develop responses to these questions, when appropriate [that is, not when the complaint is clearly based on ill will or misinformation, but rather when the complaint raises a substantive issue that requires such communal engagement]. In sum, these questions are a kind of high-trust common 'grammar' for how conversations about difficult issues could be constructively shaped.*

### Grounds

- a. Controversial topics eventually lead to each of these questions. It is instructive to note that many materials related to academic freedom cases at Calvin College, including board and synod reports on topics like creation and evolution, end up dealing with these questions. We would be in a much stronger position if we asked these questions early in our discussions of difficult issues, and ensured that each member of the community had access to the best resources and information about them.
- b. By naming these questions explicitly, all members of the community benefit by knowing where to begin when a difficult topic arises. A faculty member who works on a topic that is likely to be disputed can consider these questions prior to his or her teaching and research. Administrators who need to raise a difficult topic with a faculty member can helpfully begin with these questions. Board members would be able to ask these questions before bringing either formal or informal "charges" against faculty members.
- c. Many discussions of controversial issues include an address of some, but not all of these questions, when attention to each one is needed.
- d. Answering these questions collaboratively focuses attention first of all on the ideas, convictions, and central practices of the entire community, rather than on a specific person who may be teaching or writing in a given area. It minimizes, insofar as it is possible, the *ad hominem* quality to many discussions of controversial topics, and the defensive approach that can follow in the wake of complaints.
- e. This set of questions provides a helpful template for any future committee discussion or report on a particular issue.

*Note: The importance of this ground should not be minimized. Both the Van Till committee of the BOT in 1991 and the current HCL committee would have been helped a great deal by having a suggested template for their work. This set of questions is derived from several documents in the history of the college: Van Till report, 2004 report on sexuality, etc. It is a kind of 'harvest of best practices' from the instinctive responses of past groups to controversial topics.*

### **Recommendation 9: Toward a more intentional, proactive, learning centered approach to difficult issues**

That the following text be added to the *Handbook for Teaching Faculty* [perhaps following the preceding material in section 3.6.4]:

**At times, a specific topic may warrant special consideration for reasons such as:**

- **the prominence of the topic in cultural or church discussions,**
- **the frequency or quality of constituent complaints related to the topic, or**

- **substantive differences of approach to the topic in the Christian community.**

**When it judges that collaborative, proactive reflection on a given topic would strengthen the mission of the college, PSC may initiate a process for proactive reflection. PSC may do so by requesting the Calvin Center for Christian Scholarship or another appropriate organization or entity to organize a study group. Or PSC may commission a task-force to gather relevant information, identify the best resources for addressing the topic, clarify various positions on the topic within the Christian community, clarify any academic freedom issues involved in consultation with the academic freedom sub-committee of PSC, and describe the particular contribution Calvin College could make to the topic, normally using the questions found in 3.6.4.1.2. The task force will ordinarily include members of the faculty, administration, and Board of Trustees, and may also include additional experts on the subject from beyond faculty, administration, and the board. PSC will include information about any of these actions in its regular reports to the academic affairs committee of the Board of Trustees.**

**Collaborative reflection on controversial topics should not be a disciplinary process but rather a learning process. PSC should exercise care in discerning whether such a task force is necessary. This process should be reserved for significant topics worthy of the time that will be required for the work. The commissioned work should not duplicate past work. Processes commissioned by PSC should emphasize broad consultation within the Calvin community, including consultation with Faculty Senate and Board of Trustees.**

#### Grounds

- This process promises to promote collaborative, constructive engagement with difficult and challenging topics.
- This process would provide a natural forum for addressing significant topics before they engulf the college in controversy, to the extent that this is possible.
- This process allows for substantive discussion of difficult issues that would be focused as much as possible on issues, rather than on the work of individual faculty members.
- The resulting document will offer the best possible foundation for PSC, for Calvin administrators, and for the Board of Trustees to make wise judgments about difficult topics.

#### ***Q. What would trigger such a process?***

- This process might arise out of any number of situations. It may be generated proactively: faculty members may wish to raise a topic which they believe the Christian community must address. It may be generated reactively: a faculty member, administrator, student, board member, or constituent may have a concern about how a topic is being addressed at Calvin. A college employee who is being complained about may, for example, want to trigger the process in order to clear the air and develop a collegial consensus. Thinking back to the 1990s, one can imagine this process resulting out of a request by Howard Van Till, aware that his forthcoming book might generate a controversy; or by a dean or provost, or by the board.*

#### ***Q. What would be the time-frame and costs of such a process?***

- This would vary widely depending on the topic involved, likely ranging from 3 to 18 months. In some cases, a task force of 3-5 faculty and staff members may be sufficient. In others, a task-force of 7-9 people may be advisable, including off-campus experts. In each case, PSC should evaluate the projected costs of such a task-force. Normally, expenses would be covered by the provost's self-renewal fund.*

**Q. Will such a report be sufficient action on most challenging topics?**

- A. *In many cases the report itself may be a sufficient response to the topic. Ideally, the process of preparing and reviewing the report would be instructive in itself and generate the knowledge and wisdom necessary for us to collaboratively navigate difficult topics together under the authority of scripture. When necessary, these reports could suggest subsequent actions, e.g., asking PSC to develop a set of guidelines for the faculty handbook (e.g., as per the current guidelines regarding faith and science), or developing a provisional statement of confessional interpretation (such a statement should include a rationale for the interpretation, as well as rationale for the decision to announce an interpretation apart from a specific academic freedom case). Each of these recommendations would need to be processed according to established procedures.*

**Notes:**

- a. *The process here is as important as the outcome. Engaging the process well should help everyone learn about the topic, discern stronger and weaker positions, and engage relevant biblical and confessional materials.*
- b. *The goal is that there would be a similarity in trust (assumption of innocence, good-will inquiry) and a similarity in the shape of the process at every level. There would likely be significant difference in scale and scope of the inquiry, as well as in the level of campus-wide awareness.*
- c. *By aligning formal and informal processes, the board may well have to invoke this process very rarely. It would already be happening.*
- d. *The resources gathered through this process could be of significant help to the CRC. This could be one of the best ways of doing the “heavy lifting” that the CRC may well ask us to do on difficult issues (A. Diekema, panel on academic freedom, 9-09), including the issue we presently face.*
- e. *Careful consideration should be given in each specific case to how the process could be adapted in light of possible media coverage. Media coverage at too early a stage could easily distort the discussion. At the same time, transparency and access to information are very important.*

*In the current circumstances, imagine how helpful it would have been to have all the relevant information, documents, policies, and perspectives on the table sooner. A host of the distractions around the May 2009 memo could have been avoided.*

**Cluster C: Strengthening the Judicial Processes regarding  
the Boundary Function of the Confessions**

*Recommendations in this section are designed to respond to the following statement of need: “We need an institutional repertoire of responses to confessional difficulties that includes some less confrontational approaches than “charges of unorthodoxy” and “a gravamen.” Difficulties will certainly arise—as they have for every generation of Reformed believers since the Reformation. But at present, these two channels do not appear to be sufficient to promote healthy practices of confessional subscription and mutual accountability. They may be perceived as covenant-breaking acts, rather than the covenant-strengthening processes they were designed to be. As a result, faculty members, the Board of Trustees, and administrators have too limited a repertoire of actions to respond to challenging topics. This can lead the college, at any level, to either under- or over-react to specific situations. This, in turn, can work to undercut the trust that is the necessary foundation of our work together. Relatedly, we need to clarify our process for “charges of confessional unorthodoxy,”*

*especially regarding the role of administrators in the process, and the circumstances under which the Board of Trustees would address synod regarding an interpretation of the confessions.”*

### **Recommendation 10: Confessional Subscription for the Members of the Board of Trustees**

That the *Board of Trustees Handbook* be amended as follows:

Section III, point III: “Each trustee of Calvin College shall: (1) be a professing member in good standing of a church body within the Presbyterian and Reformed confessional tradition of Christianity; (2) embrace the mission of the college as authorized by the Synod of the Christian Reformed Church; (3) bear witness to a vocation of service within God’s kingdom; (4) pledge to provide Calvin College with his or her excellence in gifts of service; (5) sign the mission statement of the college, and (6) **join Calvin faculty members in signing the *Form of Subscription* approved for use at Calvin College.**

**Board members or prospective board members who wish to express difficulties with a portion of the confessions should express their concerns in writing to the executive committee of the board. The executive committee shall consult with the president and provost and other experts as necessary to discern how the CRC and the college has responded to any similar concern in the past, and shall decide whether the difficulty is sufficiently weighty to disqualify the individual from serving on the board.**

#### Grounds

- a. Aligning this aspect of board and faculty requirements will strengthen the solidarity of the faculty and board in working together toward our common mission.
- b. The Board of Trustees is an arbiter of confessional unorthodoxy. Decisions about confessional unorthodoxy should not be made by persons who have not signed the *Form of Subscription*.

### **Recommendation 11: Role of Faculty Members and Administrators in Academic Freedom Cases**

To recommend that the following be added to the *Handbook for Teaching Faculty and Board of Trustees Handbook*:

**In all personnel cases and in all matters regarding academic freedom and confessional subscription, it is the responsibility of all faculty members and especially all administrators (department chairs, academic deans, the provost, and the president) to (a) work to ensure that all parties have a common and correct understanding of the college’s governance structures, policies, and procedures, (b) help faculty members work collegially toward the best articulation of their views in light of a set of common questions [*as specified in recommendation 8*], (c) promote the integrity of confessional subscription and academic freedom according to Calvin’s stated academic freedom policy. No individual faculty member or administrator is in a position to issue a presumptive assurance about the eventual outcome of any judicial procedures, should they be necessary. Any request for an interpretation of the confessions should be directed to PSC. Any provisional judgment about the confessions offered by PSC is subject, in turn, to the judgment of the Board of Trustees and, ultimately, the synod of the Christian Reformed Church.**

#### Grounds

- a. The current system creates conflicting expectations for faculty colleagues and administrators.

- b. All faculty members and administrators are called to simultaneously promote confessional subscription and academic freedom, and to uphold the rights and responsibilities of both individual faculty members and the college as a whole.
- c. PSC is the designated entity for reviewing topics related to academic freedom and confessional subscription and making recommendations to the Board of Trustees. The actions of the Board of Trustees, in turn, are subject to the authority of the synod of the Christian Reformed Church. This line of authority respects the church as the ultimate authority regarding the meaning of the confessions.
- d. This approach coheres well with the polity of the CRC that “no individual shall determine the interpretation of the confessions.” (*Church Order Supplement*, article 5).

**Recommendation 12: procedures for seeking clarification about the meaning of the confessions or expressing confessional difficulties**

Recommend that the Board of Trustees add the following text to the *Handbook for Teaching Faculty*:

**A. CLARIFICATION OF THE MEANING OF CALVIN’S POLICIES OF CONFESSIONAL SUBSCRIPTION AND ACADEMIC FREEDOM.**

**Informal Procedures**

**Members of the Calvin community with questions or concerns about the implications of Calvin’s policies of confessional subscription and academic freedom for any specific topic or position are encouraged to discuss the matter with their colleagues, department chair, and academic dean, using the questions in 3.6.4.1.2<sup>11</sup> as a guide to collegial inquiry. In most circumstances, informal collegial work carried out in harmony with the Reformed confessions should be sufficient to ensure that the faculty is serving the Christian community with timely and faithful teaching and learning on difficult and challenging topics.**

**Formal Procedures**

**If any administrator, faculty member, academic department, or the Board of Trustees as a whole has weighty concerns related to the implications of Calvin’s policies of confessional subscription and academic freedom for any specific topic or position, they should address their concern to PSC. (Allegations of confessional unorthodoxy will be processed according to the procedure in 6.3<sup>12</sup>; other concerns proceed according to the following process.)**

**The request should be accompanied by an explanation of the issue and an explanation of the reasons that warrant formal action. Whenever possible, the request should be accompanied by preliminary responses to the pertinent questions in 3.6.4.1.2.<sup>13</sup> Additional communications from faculty colleagues and collaborators are also encouraged.**

**After deciding whether the request is sufficiently weighty to warrant formal review, PSC shall gather information necessary to make an informed judgment, through appropriate processes, including, for example:**

- **commissioning an academic dean or other designated expert to gather relevant information,**
- **consulting with relevant departments,**

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<sup>11</sup> This is one possible position for the questions currently found in recommendation 8 of this proposal.

<sup>12</sup> PSC is currently working on revisions to this procedure.

<sup>13</sup> This is one possible position for the questions currently found in recommendation 8 of this proposal.

- consulting with experts in biblical and confessional interpretation, and/or
- consulting with Faculty Senate.

PSC should engage in as much consultation as is reasonable for the situation in question, preparing its response in both a consultative and timely manner. PSC will ordinarily include a member of the Board of Trustees in its deliberations on these topics.

PSC may respond to the request for clarification in several ways, including (1) asking the correspondent for more information or a clarification of the request, (2) requesting that the communication be withdrawn, (3) offering encouragement about how Calvin faculty can serve the larger Christian community with respect to the issue or position in question, or (4) recommending that the Board of Trustees issue a judgment about the implications of Calvin's policies of confessional subscription and academic freedom with respect to the topic or position at hand. For especially challenging topics, PSC may recommend that a statement on the topic be prepared for inclusion in the *Handbook for Teaching Faculty* (e.g., the current statement on faith and science) according to the appropriate procedures for amending the handbook.

PSC shall communicate its response, along with accompanying grounds, to the correspondent, and provide copies of the communication to the Board of Trustees. The president ordinarily presents this communication to the Board. If the president does not concur with PSC's response, the provost will present this communication to the Board. If neither the president nor the provost concurs with the response of PSC, PSC may appoint a faculty member to represent PSC at deliberations of the Board of Trustees.

When necessary, PSC will advise the president and provost about ways to communicate to the media and other audiences.

Faculty members who disagree with PSC's response may (a) request that PSC reconsider or clarify its response in light of additional information, or (b) request that the Board of Trustees not accept PSC's recommendation regarding a judgment about the implications of Calvin's policies of confessional subscription and academic freedom for the topic or position at hand.

If the president disagrees with PSC's response, the president may (a) request that the board ask PSC to reconsider the position in light of additional information or considerations not reflected in the grounds or explanation for the decision, or (b) request that the Board of Trustees not accept PSC's recommendation regarding a judgment about the implications of Calvin's policies of confessional subscription and academic freedom for the topic or position at hand.

If the Board of Trustees disagrees with PSC's response, the board could (a) request PSC to reconsider the position in light of additional information or considerations not reflected in the grounds or explanation for the decision, or (b) decline to accede to PSC's recommendation regarding a judgment about the implications of Calvin's policies of confessional subscription and academic freedom for the topic or position at hand. If the board does not accede to PSC's recommendation, the matter may be referred back to PSC for PSC to develop an alternate recommendation prior to the next scheduled board meeting. If an alternate recommendation is not subsequently approved by the board or if PSC does not offer an alternative recommendation, the board could choose to develop its own judgment about the meaning and implications for Calvin's policies of confessional subscription and academic freedom for the topic or position at hand.

During these deliberations, the president and provost serve the Board of Trustees (a) by ensuring that the best expertise on both the topic and on the confessional interpretation is available to the board and (b) by being present during all board discussions of the topic. The

board would communicate its decision, along with its rationale, to PSC and the members of the community who made the original request.

Faculty members or administrators who disagree with the board's decision may (a) request that the board reconsider or clarify its decision in light of additional information, or (b) appeal the board's decision to the synod of the Christian Reformed Church, through the appropriate channels described in the *Rules for Synodical Procedure*.

In all these matters, PSC and the Board of Trustees should be governed by a desire to promote confessional integrity, due process, mutual trust and the kind of constructive engagement with difficult issues that will serve the Christian community at large.

## **B. FOR EXPRESSING CONFESSIONAL DIFFICULTIES**

The *Form of Subscription* specifies that faculty members who do not agree with a portion of the confessions are required to communicate their views in writing to the Board of Trustees, either at the time they sign the *Form of Subscription* or at any later time when a disagreement arises.

The Board of Trustees assigns to PSC the duty to receive these communications, following appropriate consultation with the faculty member, and to advise the board about the appropriate action. PSC will ordinarily include a member of the Board of Trustees in its deliberations on these communications.

PSC will normally make a recommendation to the board about the faculty member's correspondence. PSC may recommend, for example, (1) that the faculty member's disagreement is within the bounds of subscription as described by the CRC's view on subscription, (2) that the disagreement is acceptable, provided that the faculty member not teach or write to promote his or her views, (3) that the disagreement is acceptable, given that the matter in question is not directly related to the faculty members' work at the college and is not sufficiently weighty, or (4) the position proposed by the faculty member is unacceptable for a faculty member at Calvin College. PSC may also take note of the disagreement and ask the board for permission to table the matter for the purpose of engaging in a period of study. PSC may also request the faculty member to develop a confessional difficulty or revision gravamen through the approved ecclesiastical channels.

PSC will inform the faculty member and the department chair of its recommendation. Once PSC has communicated its recommendation to the faculty member, faculty members are expected to conduct their teaching and research in compliance with the recommendation until the board has taken action on PSC's recommendation.

Faculty members who disagree with PSC's recommendation may (a) request that PSC reconsider or clarify its recommendation in light of additional information, or (b) request that the Board of Trustees not accede to PSC's recommendation.

If the president disagrees with PSC's recommendation, the president may (a) request that the board ask PSC to reconsider its recommendation in light of additional information, or (b) ask the Board of Trustees not to accede to the recommendation.

If the Board of Trustees disagrees with PSC's recommendation, the board may (a) request PSC to reconsider its recommendation in light of additional information, or (b) decline to accede to its recommendation. If the board does not accede to the recommendation of PSC, the matter may be referred back to PSC for PSC to develop an alternate recommendation prior to the next regularly scheduled board meeting. If an alternate recommendation is not subsequently approved by the board or if PSC does not offer an alternative recommendation, the board could choose to develop its own judgment for the topic or position at hand.

**The board shall communicate both its decisions and supporting rationale to PSC and to the faculty member in question. During all deliberations, the president and provost serve the Board of Trustees by ensuring the best possible expertise is available to the board and by being present during its deliberations.**

**If the faculty member disagrees with the board's decision, he or she may (a) request that the board reconsider or clarify its decision in light of additional information, or (b) appeal the board's decision to the synod of the Christian Reformed Church, through the appropriate procedures described in the *Rules for Synodical Procedure*.**

**Copies of both the original communication related to the confessional disagreement and the board's response shall be retained in the faculty member's personnel file.**

**In all these matters, PSC and the Board of Trustees should be governed by a desire to promote confessional integrity, due process, and the kind of constructive engagement with difficult issues that will serve the Christian community at large.**

**In addition to these college procedures, faculty members may use the formal procedures designated by the Christian Reformed Church for expressing a difficulty with the confessions (a confessional difficulty gravamen) or proposing a change to the confessions (a confessional revision gravamen) as described in the church order of the Christian Reformed Church. Faculty members who do so should inform PSC of their intent. In some circumstances, PSC may also request that a faculty member pursue these processes."**

#### Grounds

- a. The *Form of Subscription* clearly indicates that "if, hereafter, any difficulties or different sentiments respecting the aforesaid doctrines should arise in our minds, we promise that we will neither publicly nor privately propose, teach, or defend the same, either by teaching or writing, until we have first revealed such sentiments to the Board of Trustees." This practice would align college practices with this statement.
- b. Faculty members who do communicate their disagreement with the confessions should be entitled to a collegial conversation about them and a written response to them which would be retained in the faculty member's personnel file. Without this, there is no written interpretation of the mutual expectations of the college and the faculty member to protect either the college or the faculty member.
- c. This procedural change is a fitting way of practicing the principle that "no one is free to decide for one's self or for the church what is and what is not a doctrine confessed in the standards" (*Church Order Supplement*, article 5). At the college, this communal discernment is primarily practiced at PSC. When necessary, it is also practiced by the Board of Trustees.
- d. Without this practice, any attempt by the college to enforce a particular confessional boundary will seem arbitrary.
- e. The gravamen procedure is necessary for promoting confessional integrity of the church and college. Noting this procedure in the handbook is important given that many current faculty members are not aware of the procedure.

*(Thus, we might say that there is an analogy here between a church council, classis, and Synod, and the college's PSC, Board of Trustees, and Synod with respect to matters of confessional subscription and academic freedom. The analogy is not perfect: a council has both pastor and elder representatives at a classis meeting, whereas PSC is represented at the board by the president and provost, not faculty members. Still there is an apt analogy regarding the relationships of authority and the route of appeals).*



**Q. Wouldn't this generate too much work for PSC?**

- A. PSC is indeed already very busy. If this proves to add a lot of work for PSC or the academic deans, especially in the first few years the procedure would be in place, it might be advisable to identify a small group of resource people to advise the deans and PSC. Some thoughtfully written non-binding briefs about individual requests prepared by duly authorized and confidential advisors could help this process run smoothly. What is important is that these matters are processed by the same group of people who deal with personnel decisions.

**Recommendation 13: Procedures and Criteria for Approaching Synod**

That the following be added to the *Handbook for Teaching Faculty* and *Board of Trustees Handbook*:

**Synod is the denominational arbiter for an official interpretation of the confessions. The CRC Church Order Supplement explains: "No one is free to decide for one's self or for the church what is and what is not a doctrine confessed in the standards. In the event that such a question should arise, the decision of the assemblies of the church shall be sought and acquiesced in" (article 5.A.3.).**

**Matters may be presented to synod through several mechanisms. As a constituted governance body established by the Christian Reformed Church, the Board of Trustees may approach synod with a request for an interpretation of the confessions (CRC Rules for Synodical Procedure V). Individual Calvin faculty or board members may also prepare personal appeals or gravamina to synod according to the Rules for Synodical Procedure.**

**A request to synod by the Board of Trustees is appropriate when a particular interpretation of the confessions cannot generate widespread consensus, when the resulting disagreements are divisive for community life and harmful for the mission of the college, and when other methods (e.g., statement of guidelines) have not worked. More specifically, a request to synod would ordinarily be appropriate when: (a) a clear statement of the problem or question is researched, discussed, and explored by both the faculty and the board, (b) a clear statement regarding competing interpretations or positions on the issue has been developed, and (c) the Board of Trustees has consulted with the executive director of the CRCNA and, when possible, with the CRC Board of Trustees, about the best framing and timing of such a request. When a request is made to synod, it should include an articulation of Calvin's policy on confessional commitment and academic freedom and the grounds for why this step is needed.**

Grounds

- a. This material clarifies the existing procedures and governance relationships of the college.
- b. Synod typically does not take up matters unless they have been fully addressed first by the agency or assembly in question. Synod typically only takes up matters that the college or a classis cannot resolve, not matters the college or classis has not fully attempted to resolve.
- c. Given the complexities and misunderstandings that can cloud discussions of academic freedom, it is crucial that any issue related to academic freedom be presented (a) along with a clear explanation and defense of Calvin's academic freedom policy, and (b) only after every attempt has been made to clarify the precise matters at stake in the discussion and to achieve whatever consensus is possible on the formulation of the remaining disagreement.
- d. Practices of consultation with denominational leadership are likely to provide constructive feedback to the college and to strengthen these important institutional relationships.

## **Appendix 1: Suggested Revisions to the Outline of Section 3.6 of the *Handbook for Teaching Faculty***

*The preceding proposals would affect several sections of the Handbook for Teaching Faculty. The following chart offers a preliminary suggestion about where these changes may be inserted. Subsequent versions of this proposal will include a complete draft of the handbook changes, presented according to this new outline.*

Normal font=current handbook

***Bold italic font=proposed organization of new sections***

### **3.6 FACULTY RESPONSIBILITIES, EXPECTATIONS AND ACADEMIC FREEDOM**

#### 3.6.1 Commitment to the Mission of the College

##### 3.6.1.1 Signing the Form of Subscription (*Add Rec. 2*)

##### ***3.6.1.1.1 Procedure for Expressing Confessional Difficulties (Rec. 12B)***

##### 3.6.1.2 Church Membership

##### 3.6.1.3 Christian Schooling

#### 3.6.2 Faculty Conduct

#### 3.6.3 Specific Responsibilities

##### 3.6.3.1 Teaching

##### 3.6.3.1.1 Commitment

##### 3.6.3.1.2 Knowledge

##### 3.6.3.1.3 Engagement

##### 3.6.3.2 Research and Scholarship

##### 3.6.3.3 Community Service

##### 1. Service to the College Community

##### 2. Service to the Church Community

##### 3. Service to the Scholarly Community

##### 4. Service to Other Communities

##### 3.6.3.4 Advising

#### 3.6.4 Academic Freedom

##### ***3.6.4.1 Controversial Topics and Confessional Interpretation***

##### ***3.6.4.1.1 Principles for Engaging Controversial Topics***

##### ***3.6.4.1.2 A Guide for Approaching Informal and Formal Work on Controversial Topics (Rec. 8)***

##### ***3.6.4.1.3 Collaborative Work on Controversial Topics (Rec. 9)***

##### ***3.6.4.1.4 Responding to Constituent Concerns (Rec. 6)***

##### ***3.6.4.2 Procedures for Clarifying the Meaning of Calvin's' Policies of Confessional Subscription and Academic Freedom (Rec. 12A)***

##### ***3.6.4.2.1 Informal Procedures***

##### ***3.6.4.2.2 Formal Procedures***

## Appendix 2: Some Sample Institutional “Scripts” About Confessional Subscription

The following are sample “scripts” of conversations between the institution and individual faculty members. Many of these scripts already happen implicitly. We need to ask whether the following examples are sufficiently (maximally!) healthy, constructive, and high-trust. Then, would there be a way to make these more explicit than at present? Perhaps by a simple exchange of correspondence between individual faculty members and PSC?

There is always a dance involved here, and this is an attempt to describe some typical dance steps. If these scripts are not “narrated” for the community, we can too quickly slip into low-trust modes of discourse. Or, thinking of the work of clinical psychologists, we may even describe this brief appendix as a kind of “institutional cognitive therapy”—an intentional effort to articulate new communication habits about confessional subscription. Yet another value of these “scripts” is that they potentially help all of us manage counter-productive anxiety. Some anxiety is holy and productive. That is the kind we want. To get there, we need to minimize the counter-productive frustration that sets in with unclear expectations.

These kinds of conversations would protect individual faculty members in these ways: (a) they would be a conversation with a group of people, not merely with an individual administrator, (b) they would also create something in writing to prevent later misunderstanding, and (c) in many cases, they would offer a written document to convey the college’s encouragement to a faculty member to pursue difficult or challenging topics. This kind of communication would also protect the college by clarifying expectations ahead of possible complaints.

Faculty member may say	Possible college responses
<p>“I disagree with X, but I assume that this disagreement is not substantive. I note that the church order states that a subscriber is only bound by subscription to those doctrines which are confessed, and is not bound to the references, allusions, and remarks that are incidental to the formulation of these doctrines nor to the theological deductions which some may draw from the doctrines set forth in the confessions.”</p>	<p>1. “Thank you for this communication. We agree with you that this point is not substantive, and we will defend this position on the basis of the line you cite in the <i>Church Order Supplement</i>. We promise to communicate with you should our interpretation of this matter change.”  <i>[perhaps the faculty member does not think Paul wrote Hebrews]</i></p> <p>OR</p> <p>2. “We judge that this is a substantive issue. We ask that you either refrain from teaching it or promoting it [perhaps it is not germane to the individual’s area of interest], or that you prepare a more formal defense of your view for further consideration.”</p>

Faculty member may say	Possible college responses
<p>“I disagree with XX. I realize this is a substantive disagreement. I also commit not to teach or promote my own view on this matter, without prior written communication to PSC.”</p>	<p>1. “Thank you for this communication. We judge that this matter is not substantive and that your own commitment not to promote your view is not necessary.”</p> <p>OR</p> <p>2. “Thank you for this communication. We agree that this is substantive. We also take your commitment in good faith, and look forward to your continuing service at Calvin College.” <i>[perhaps the faculty member disagrees with infant baptism—is not this our current response?]</i></p> <p>OR</p> <p>3. “This matter is substantive, and because of its significance, we judge that your commitment not to promote your view is not sufficient to ensure the kind of integrity of confessional subscription necessary for our common mission.”</p>
<p>“I have developed a substantive disagreement with article XX as it is officially interpreted in the CRCNA, and I feel compelled to teach and write in ways that promote my view.”</p>	<p>1. “We judge that while this may be, in fact, controversial, it is also very necessary for the Christian community. We promise to support you in this work.” <i>[perhaps the faculty member disagreed with the HC’s view of the Roman Catholic Mass]</i></p> <p>OR</p> <p>2. “We agree that your view is not compatible with the confessions or mission of the college.” <i>[perhaps the faculty member no longer thinks the resurrection was an historical event]</i></p>

College may say	Possible faculty responses
<p>“We note that the confessions state XXX. We interpret this statement to mean XXX.</p> <p>We recognize that this judgment is subject to appeal, but we also affirm that this will be a guideline for our work together until such time as a higher body may give a different interpretation.”</p> <p><i>[The college might have said this about the famous lines about the mass or the Anabaptists even ahead of Synod’s decisions].</i></p>	<ol style="list-style-type: none"> <li>1. “Thank you. It is about time. I am relieved...”</li> <li>2. “This decision ignores facts X and Y. Please reconsider.”</li> <li>3. “I still disagree with you about X and Y, and will be filing a formal appeal.”</li> </ol>
<p>“We judge that the confessions entail XXX with respect to topic XXX.</p> <p>We recognize that this judgment is subject to appeal, but we also affirm that this is a firm boundary line for our work together until a higher body overturns our interpretation.”</p>	<ol style="list-style-type: none"> <li>1. “Thank you. I am relieved...”</li> <li>2. “This decision ignores facts X and Y. Please reconsider.”</li> <li>3. “I still disagree with you about X and Y, and will be filing a formal appeal.”</li> </ol>

Notes

1. *Some may say that to engage in this dance will be way too time consuming and complicated. Yet, we are already doing this, and have been for years. Leaving the dance implicit creates a context in which any attempt to enforce a confessional boundary will be viewed as arbitrary. And without any mechanism for enforcing a confessional boundary that would be perceived as legitimate, there is not a healthy way to sustain Calvin’s existing approach to confessional subscription and academic freedom over time.*
2. *Implementing the pattern of communication would be risky, though perhaps far less risky than not implementing it.*
3. *The majority of disagreements would either (a) be judged to be not substantive, or (b) would be acceptable provided that they are not actively promoted [as at present]. In the case of every other disagreement, it would be better to have a proactive rather than a reactive institutional conversation.*