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November 25, 2009

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Sent via U.S. Mail and Facsimile (612-625-3875)

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FIRE is deeply concerned about new policies at University of Minnesota–Twin Cities proposed by the College of Education and Human Development. According to documents published by the college (see <http://blog.lib.umn.edu/cehd/teri>), it intends to mandate certain beliefs and values—“dispositions”—for future teachers. The college also intends to redesign its admissions process so that it screens out people with the “wrong” beliefs and values—those who either do not have sufficient “cultural competence” or those who the college judges will not be able to be converted to the “correct” beliefs and values even after remedial re-education. These intentions violate the freedom of conscience of the university's students. As a public university bound by the First Amendment to the United States Constitution, the university is both legally and morally obligated to uphold this fundamental right.

The following is our understanding of the facts. Please correct us if you believe we are in error.

In early 2009, the College began to reassess its teacher education program through a Teacher Education Redesign Initiative (TERI). TERI's seven task groups included a “Race, Culture, Class, and Gender Task Group.” This group defined very specific ideas about “cultural competence,” as described in its

final report (later slightly amended) of July 16, 2009. Although the task group report admits “that cultural competence remains hard to define and that current definitions lack consensus,” the group emphasizes:

Nonetheless, let there be no doubt that **we consider cultural competence to be an indispensable characteristic of all beginning teachers and, hence, an obligatory goal of teacher education.** In fact, we believe that the following outcomes that we present should serve as an overarching framework from which beginning teachers frame the rest of teacher education courses and practice. [Emphasis added.]

The task group’s full explanation of “cultural competence” includes specific definitions of required beliefs and values. Under the heading “What Successful Beginning Teachers Need to Know & How to Assess and How to Teach Them,” the task group identifies four categories of attributes that teachers “need.” Each category is described as an “outcome” and includes various means of “assessment.” The following excerpts from each section demonstrate many of the unacceptable impositions planned by the college to mandate that teachers’ thoughts, attitudes, values, and beliefs conform to the task group’s ideas of “cultural competence.”

On the level of “Self,” the task group seeks to require that:

Our future teachers will be able to discuss their own histories and current thinking drawing on notions of white privilege, hegemonic masculinity, heteronormativity, and internalized oppression.

Future teachers will understand that they are privileged & marginalized depending on context ... It is about the development of *cultural empathy*, if you will. Teachers first have to discover their own privilege, oppression, or marginalization and also are able to describe their cultural identity.

Future teachers will recognize & demonstrate understanding of white privilege[.]

Future teachers will understand the importance of cultural identity and develop a positive sense of racial/cultural identity[.]

On the level of “Self & Others,” future teachers must take the Intercultural Development Inventory, “which measures five of the six major stages of the Developmental Model of Intercultural Sensitivity.” Their “Cultural Intelligence” also will be assessed. They must reveal a “pervasive stereotype” they personally held about an identity group, and evidently must argue in a personal essay that this view has now been “challenged” on the basis of their experiences with that identity group. They also will be assessed regarding “the extent to which they find intrinsic satisfaction” in being in “culturally diverse situations.”

In the area of “Self & Schools”:

Future teachers will recognize that schools are socially constructed systems that are susceptible to racism. That schools and classrooms are often structured in ways that advantage and disadvantage some groups but are also critical sites for social and cultural transformation.

In this area, the task group further elaborates that a student’s

Autoethnography should reflect appreciation for how dominant pedagogical styles, school curricula, behavioral expectations, personal prejudices of school personnel (among other things) often convey overt and covert messages that devalue the culture, heritage, and identity of minority students. Writings must show awareness that, when minority individuals actively resist and reject the implicit and explicit messages attacking their ethnic identity, educational achievement is negatively impacted....

In addition, this area demands that “Future teachers create & fight for social justice.”

Finally, in the area of “Self & Society”:

Future teachers will understand that despite an ideal about what is considered common culture in the United States [what the college identifies as “the American Dream”], that many groups are typically not included within this celebrated cultural identity and more often than not, many students with multi-generational histories in the United States are routinely perceived to be new immigrants or foreign. That such exclusion is frequently a result of dissimilarities in power and influence.

One of the sources for this critique is the concept of the “myth of meritocracy in the United States.”

In the following section of the task force’s report on “Questions, Barriers & Possible Ways to Overcome,” the task force presents several ominous ideas for overcoming barriers to implementing this curriculum:

That all beginning teachers be required to sign up for a certain number of diversity dialogues/seminars/workshops as a requirement for graduation?

Have students take course(s) that meet these outcomes as a condition for admission?

Develop clear steps and procedures for working with non-performing students, including a remediation plan.

In the final section, “What Makes the University of Minnesota’s Programs Distinctive from Other Programs in the State?” the task force even presumes to demand commitments from the college’s faculty, in violation of their academic freedom:

Every faculty member at our university that trains our teachers must comprehend and commit to the centrality of race, class, culture, and gender issues in teaching and learning, and consequently, frame their teaching and course foci accordingly.

The task force’s definition of teachers’ “cultural competence”—elaborated in the final version of the task force report, excerpted above and published online—appears to be the college’s official definition. In addition, it appears that the college fully intends to implement these recommendations. In an October 28, 2009, proposal to The Bush Foundation, the college promises that it will revise its curriculum toward the “development of cultural competence.” Although further details are not provided in the proposal, the college has offered no more recent or more specific articulation of the term than what appears in the Race, Culture, Class, and Gender Task Group’s final report.

Making matters yet worse, however, the college in its proposal promises to start screening its applicants to make sure they have the proper “commitments” and “dispositions”:

Develop admission procedures to assess professional commitments. We recognize that both academic preparation and particular dispositions or professional commitments are needed for effective teaching. [Emphasis added.]

Moreover, in its proposal the college promises to begin using “predictive criteria” to make sure that future teachers will be able to develop an acceptable level of “cultural competence.” Apparently, those who do not pass the political litmus tests set by the college and who seem too set in their beliefs will be refused admission.

This redesign of the college’s policies is far in excess of what the National Council for the Accreditation of Teacher Education (NCATE) has ever mandated regarding “dispositions.” FIRE notes that even NCATE removed from its accreditation standards the vague and politically loaded recommendation that education students demonstrate a belief in “social justice” in order to graduate.

FIRE urges you to consider the Supreme Court’s ruling in *West Virginia Board of Education v. Barnette*, 319 U.S. 624 (1943), which invalidated mandated allegiances to political ideologies at public schools. Writing for the Court, Justice Robert H. Jackson declared:

Freedom to differ is not limited to things that do not matter much. That would be a mere shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order. If there is

any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.

The Court ultimately concluded that the Constitution intended to protect precisely “the sphere of intellect and spirit” from “all official control.”

Moreover, as the Supreme Court declared—and as I am sure you will agree—“[t]he college classroom with its surrounding environs is peculiarly the ‘marketplace of ideas.’” *Healy v. James*, 408 U.S. 169, 180 (1972) (internal citation omitted). That marketplace cannot function when a college mandates the beliefs, dispositions, and values of its students and suggests that students who do not conform lack “competence” and need remediation.

The University of Minnesota also should remember the Supreme Court’s timeless expression of the important role of our universities in *Sweezy v. New Hampshire*, 354 U.S. 234, 250 (1957):

The essentiality of freedom in the community of American universities is almost self-evident. **No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation.** No field of education is so thoroughly comprehended by man that new discoveries cannot yet be made.... Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die. [Emphasis added.]

FIRE understands that the college intends to consult with the university’s general counsel regarding its “dispositions assessment” in the summer of 2010. Let us urge you today not to wait until the college wastes valuable resources in taking several more months to plan such an unconstitutional and morally unconscionable set of demands on future teachers.

Indeed, the university’s general counsel should be asked to comment as soon as possible. If the Race, Culture, Class, and Gender Task Group achieves its stated goals, the result will be political and ideological screening of applicants, remedial re-education for those with the “wrong” views and values, and withholding of degrees from those upon whom the university’s political reeducation efforts proved ineffective. While the task group appears to have attempted to take matters of “social justice” to heart, it seems to have persuaded the College of Education and Human Development to adopt requirements that, by any non-totalitarian standard, are severely unjust and impermissibly intrude into matters of individual conscience. As these demands for “cultural competence” stand today, they are a severe affront to liberty and a disservice to the very ideal of a liberating

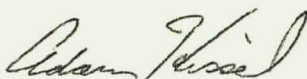
education that appears to be behind the task group's ideas. It is a shame that the College of Education and Human Development has embraced such an illiberal view of education.

There is still time for the college to change course. A new set of "Phase II" task groups was established in October 2009 for the purpose of "moving forward on structural dimensions" of the plan. This year's applicants are already being warned about the possible changes, but the new "[d]ispositions assessment" is not scheduled to occur until next summer.

Please recognize your legal and moral obligation to respect the freedom of conscience of the future teachers of Minnesota. The College of Education and Human Development has a chance to demonstrate that it shares an understanding of the basic premises of a liberal education and truly embraces human diversity on its most profound and essential level. Great teachers come in all shapes and sizes, from all backgrounds and all beliefs. Let the college's policies reflect this reality.

FIRE requests a response by Thursday, December 17, 2009.

Sincerely,



Adam Kissel
Director, Individual Rights Defense Program

cc:

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Senator LeRoy A. Stumpf, Chair, Education Committee, Minnesota Senate
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