



SEA 202

Classroom Instruction Guidance & Complaint Process

INDIANA UNIVERSITY BLOOMINGTON

What does SEA 202 require?

State law provides a faculty member or person contracted by the University to teach students must meet the following criteria:

1. Helped the institution foster a culture of free inquiry, free expression, and intellectual diversity within the institution.
2. Introduced students to scholarly works from a variety of political or ideological frameworks that may exist within the curricula established by the Board of Trustees or faculty of the institution under authority delegated by the Board of Trustees.
3. While performing teaching duties within the scope of the faculty member's employment, refrained from subjecting students to views and opinions concerning matters not related to the faculty member's academic discipline or assigned course of instruction.
4. Adequately performed academic duties and obligations.
5. Met any other criteria established by the Board of Trustees.



Academic Freedom in the Classroom

1. Faculty are recognized as the experts in their discipline.
2. Faculty will continue to control their course content consistent with curricula and can introduce controversial content, if they chose, that is relevant to the course content.
3. Principles of Academic Freedom are protected:
 - [IC 21-39.5-6-1\(3\)](#) –SEA202 provides:
 - “Nothing in this article may be construed to do the following: Limit or restrict the academic freedom of faculty members or prevent faculty members from teaching, researching, or writing publications about diversity, equity, and inclusion or other topics.”
 - [ACA 32 Academic Freedom](#)
 - “...The teacher should not subject students to discussion in the classroom of topics irrelevant to the content of the course.”
 - [AAUP 1940 Statement of Principles on Academic Freedom and Tenure](#)
 - “Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.”



Guidance on Classroom Instruction

Responsibilities of the Faculty Member

What does it mean to “help the institution foster a culture of free inquiry, free expression, and intellectual diversity within the institution.”

Faculty are responsible for being able to articulate expertise in their discipline content and articulate how the structure of the course meets the desired learning outcomes they have identified.

Responsibility of the faculty: Ensure that course content is aligned with the course description and material presented is aligned with discipline area expectations/requirements.

What does that mean: Faculty do not have to in advance of a course prove or make a statement about their expertise. It means that, if asked, faculty should be prepared to be able to defend their decisions about what they have selected in their course based on expertise and the requirements/expectations of the discipline area/curriculum/accreditation standards.



Clarifying expectations at unit level

1. Faculty at the unit level should engage in conversations about content expectations and curricula requirements, if they do not do this already.
2. Department Chairs/Deans will be able support challenges to instructional decisions when faculty provide clear rationale for the material that was covered and how it aligns with existing scholarship in that specific discipline.
 - SEA 202 references that curricula are established by the Board or by faculty as delegated by the Board. At IU the BOT has delegated that authority to the faculty, with final approval by the BOT.



What does it mean to “introduce students to scholarly works from a variety of political or ideological frameworks that may exist within the curricula established by the Board of Trustees or faculty of the institution under authority delegated by the Board of Trustees.”

Individual faculty control the content for their classroom consistent with various requirements.

Responsibility of the faculty: Create course content that, within the focus of the course description, introduces students to scholarship from a variety of scholarly works and sources from a variety of political or ideological frameworks that may exist within the curricula.

Expectation: No set number of ideas need to be presented nor do faculty need to include content that is outside the scope of the course description.

Faculty define the scope of the course content as the discipline expert.



Faculty responsibility in defining scope of course content

Faculty are the content experts. If challenged, faculty must be able to defend their content selections through articulation of how the content aligns with discipline requirements/expectations.

Scope of the course is defined by the individual faculty member and is aligned with the principles of academic freedom.

Faculty should review content prior to each semester to ensure that they have a clear understanding of how they are defining the scope of their course.



Considerations with course scope

Don't force course content due to concern about scope. Faculty have the academic freedom to define their course scope. Be sure you are referring back to all curricular requirements.

Critically examine course content if concerns exist. Faculty should be able to defend their course content selections within their discipline area expectations/requirements. Special topic courses follow the same guidance that faculty control the scope of the course and are responsible for defending the content decisions, if challenged.

Faculty have approved the courses being offered through shared governance and the BOT has signed off on those curricular offerings.



What could constitute outside of course scope?

AAUP 1940 Statement of Principles of Academic Freedom and Tenure notes that when examining what is considered controversial faculty should “avoid persistently intruding material which has no relation to their subject.”

Faculty should avoid including content in their course that they cannot defend as scholarly works from a variety of political or ideological frameworks that may exist within the curricula and associated with their content expertise.

Faculty will design their own course and should keep to the syllabus content that was presented to the students at the start of the semester. Changing course material/assignments once the course has started could be questioned by students. Adjustments that are made to the course should be clearly communicated to students and faculty are encouraged to also articulate how those changes are aligned with how the course was originally presented. If challenged, faculty will need to defend those adjustments.

Responding to students who bring up current events. Class discussions connected to course material play an important role in building students critical thinking and expression skills. Faculty should explain to students how discussions are connected to course content and to identified student learning outcomes. This will be an individual faculty decision and the faculty will need to be able to defend the connection to the course content, if challenged. Faculty should be prepared to indicate they can help students who are struggling with issues find the appropriate campus resources and support after the class, as an alternative to engaging in a classroom discussion that is not part of the course content.



Recognizing and Celebrating University Supported Programming

Question: Can faculty continue to recognize and encourage participation in University events/programs that are not directly connected to their course content?

Individual faculty members will have the discretion to mention these types of events/programs. Faculty should avoid discussions in the class about events/programs that are not connected to their course content. If faculty include announcements about these programs, faculty should reflect on how they made decisions about what to and not to announce, and be prepared to defend their decisions, if challenged.



Complaint Process

Steps in the process

What does SEA 202 require?

Procedure for students and employees to submit a complaint that a faculty member has not met the criteria outlined in the statute:

1. Helped the institution foster a culture of free inquiry, free expression, and intellectual diversity within the institution.
2. Introduced students to scholarly works from a variety of political or ideological frameworks that may exist within the curricula established by the Board of Trustees or faculty of the institution under authority delegated by the Board of Trustees.
3. While performing teaching duties within the scope of the faculty member's employment, refrained from subjecting students to views and opinions concerning matters not related to the faculty member's academic discipline or assigned course of instruction.
4. Adequately performed academic duties and obligations.
5. Met any other criteria established by the Board of Trustees.



IU will use existing process to collect complaints

Reporting of misconduct or policy violations is done through EthicsPoint software – an existing process that has been in place since 2007. The process of how the complaint is handled has not changed, with the exception, of the identification that the complaint is related to SEA 202.

Overview of the steps in the process:

1. Complaint is reviewed by the Vice Provost for Faculty and Academic Affairs (VPFAA) and the Office of Institutional Equity (OIE) to determine if it falls under [UA-03](#).
 - If yes, OIE does an initial assessment of the case to determine if an investigation is needed.
 - If no, VPFAA sends the complaint to the principal administrator of the faculty member's unit and asks them to do an initial assessment and determine if an informal resolution can be reached or if an investigation is needed.
2. If the principal administrator deems necessary, an investigation is conducted.
3. The findings are reported back to the VPFAA.



Determining if a complaint is SEA 202

Interim process:

VPFAA will review complaints to determine if they are referencing the criteria outlined in SEA 202, as it currently is stated.

Shared governance engagement (Fall 2024):

VPFAA will work with the BFC Faculty Affairs Committee to outline procedures for classification of an SEA 202 complaint.



Anonymous Complaints

No changes to the existing process. The reporting of misconduct or policy violations, through EthicsPoint, has always included an option for the individual to remain anonymous.

Each complaint, no matter if SEA 202, has and will continue to be reviewed by the principal administrator to determine if it needs to be investigated.

Anonymous complaints can be difficult to investigate. Consistent with existing process, these will be reviewed at the local level (school/College and/or unit) and if the complaint is not able to be investigated due to lack of information, that will be noted and returned to the VPFAA office with that notation.



Role of Principal Administrator

Following existing processes complaints will be sent to the principal administrator and the dean of the school/College from the VPFAA Office.

Responsibilities: Review the complaint and determine if an investigation is necessary.

Process: Principal administrators should follow the policy and procedures that are within their school/College for reviewing and investigating complaints.

Reporting to VPFAA: Deans will provide the VPFAA Office with the result of the review/investigation.

Campus Grievance Process: After review at the local level, faculty can engage the grievance processes at the campus level (e.g. Mediation or Faculty Board of Review) if they are not in agreement with the finding at the local level. The principal administrator should inform the faculty member of these options.



Primary Responsibility and Control

Individual Faculty: Know the curriculum, control content in the classroom and are protected by academic freedom in discussing their subject matter. Faculty need to be prepared to defend their content choices, if challenged.

Unit heads/Department Chairs: Support faculty and serve as the sounding board for rationale and concerns about content in the discipline area. Discussions about what unit heads/department chairs need from their faculty to support their academic classroom instruction, if challenged, should be discussed in unit level meetings.

Policy Councils: Provide the policy and procedural guidance for how complaints are reviewed within the school/College before moving to the campus level, if necessary. Policy council leadership also has the autonomy to address if syllabus statements that are specific to the discipline are desired as it relates to compliance with SEA 202.

Deans: Following existing process, deans will be responsible for reviewing and sending final decisions about complaints to the VPFAA office. This will apply to SEA 202 complaints and questions around compliance. As a result, deans should communicate what they require from faculty whose instruction is challenged to support their academic freedom and course content selection. Engage in shared governance discussions with policy councils to discuss implementation of any policy and procedural guidance.



Reporting SEA 202 complaints

SEA 202 requires that no later than April 1, 2025, and not later than April 1 each year thereafter, IU must submit a report to the commission for higher education that summarizes the following:

- The procedure that the institution established for the submission of complaints.
- How and when the institution has provided or made available the information concerning the submission of complaints procedure to students, faculty members, other employees, and contractors of the institution.
- The number of complaints submitted, disaggregated by a brief description of the types or categories of complaints submitted, during the previous calendar year.

Shared governance engagement (Fall 2024/Spring 2025):

VPFAA will work with the BFC Faculty Affairs Committee to identify how to report the number of complaints to be in compliance with SEA 202.





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