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## Should a professor lose his job over refusing to put learning outcome on his course syllabus?

Submitted by Colleen Flaherty on August 8, 2016 - 3:00am

Most professors probably have learning outcomes for their students -- it would be hard to know what to teach and how to assess students without them. But whether professors write down those desired outcomes is a different question. And it's a question at the heart of a new lawsuit against the College of Charleston by a faculty member who says he's being booted for refusing to include learning outcomes in his syllabus.

The plaintiff, Robert Dillon, a longtime associate professor of biology at Charleston, is by all accounts an independent thinker, and his lawsuit alleges that numerous personal animosities were at the play in his case. Dillon has organized a popular Darwin Week on campus for the last 16 years, for example, and he alleges that his supervisors feel "threatened" by his challenges to state lawmakers over K-12 science standards in his role as president of South Carolinians for Science Education. But aside from his past clashes with his superiors, his suit raises questions about the role of learning outcomes in course syllabi, and, especially, in the accreditation process.

First, a bit on student learning outcomes. Different from learning objectives, which describe the goals and purpose of a program of study or course, learning outcomes are used to describe bits of evidence that those objectives have been met. They're lists or statements detailing what content or knowledge students are supposed to have mastered upon completing a program or class, which ostensibly can be measured or demonstrated.

According to Dillon's [lawsuit](#) [1], filed recently in a county court, the three-page [syllabus](#) [2] for his genetics lab included descriptions of the course, textbook and relevant manuals, along with a summary of what would be taught in each session, required reading assignments, dates of quizzes and information on how grades are determined.

As required by Charleston's Faculty/Administrative Manual, commonly referred to on campus as "the Bible," according to the suit, Dillon's syllabus also listed numerous course objectives, such as modeling natural selection and genetic drift and lab work on linkage analysis and human cytogenetics.

The syllabus did not include detailed learning outcomes, which aren't mentioned in the 2015-16 faculty manual. But Dillon did include the follow quote by Woodrow Wilson under the heading "learning outcomes."

"It is the business of a university to impart to the rank of and file of the men whom it trains the right thought of the world, the thought through which it has tested and established, the principles which have stood through the seasons and become at length part of the immemorial wisdom of the race."

Dillon's trouble began in January, when Jaap Hillenius, the department chair with whom he'd allegedly sparred over various issues over the years, sent him an [email](#) [3] saying that while the Wilson-inspired explicit learning outcome "may be a fine overall course philosophy, it does not meet the minimum requirements for student learning outcomes (SLOs) in a university course. ... And according to our employer, this task of writing SLOs must be done."

Hillenius shared a few example lists of learning outcomes for genetics labs taught elsewhere, such as "Perform hands-on laboratory skills related to genetics such as gel electrophoresis, DNA manipulation, microscopy, forensics, gene mapping, enzyme assays and spectrophotometry; analyze and interpret the data collected in the laboratory experiments; and communicate and present on a topic related to genetics."

He said Dillon was free to develop his own outcomes, but that a set of five to eight "must be generated."

Dillon, who is currently hiking the Appalachian Trail, said via email that he objects to including "trivialities of this sort on my syllabus, as a matter of principle." He said that "manipulating fruit flies" or some other similar outcome "is no more the fit object of a liberal education than dumping asphalt is the object of road construction."

Needless to say, Dillon didn't comply with the syllabus request, prompting a [February email](#) [4] from Mike Auerbach, dean of Charleston's School of Sciences and Mathematics. Auerbach said to "stop the silly, sanctimonious games, and do something for the common good," and that learning outcomes were required for accreditation purposes.

"The college's accreditor, [the Southern Association of Colleges and Schools Commission on Colleges], requires that every syllabus for every course contain course learning outcomes that are approved by a department chair. ... Your position puts the college at considerable risk, because spring 2016 syllabi are part of the record being furnished to SACSCOC as part of the college's reaffirmation process."

Auerbach also said the college has a formal policy that requires syllabi for every course with certain mandatory sections, including course learning outcomes. Dillon says no such policy was in place last winter, and the [section of the faculty manual](#) [5] he's accused of violating refers to course objectives -- not outcomes.

It says that at the beginning of each term, "instructional staff members are responsible for stating clearly and in writing the instructional objectives of each course they teach. It is expected that each instructional staff member will direct instruction toward the fulfillment of these objectives and that examinations will be consistent with these objectives."

Auerbach threatened disciplinary action for "insubordination" if Dillon didn't quickly produce outcomes.

Dillon in his suit argues that insubordination isn't mentioned in the faculty manual, and that Charleston's faculty code says that a professor observes the stated regulations "provided they do not contravene academic freedom" and "maintains his or her right to criticize regulations and seek their revision."

Yet Dillon was relieved from teaching in February by Brian McGee, provost, who is named as a co-defendant in the suit. Breaking with what Dillon describes as prescribed disciplinary protocols, McGee allegedly handpicked three faculty members to investigate whether Dillon's Wilson quote violated Charleston's standards for professional conduct and ethics.

Dillon alleges that panel only compared his genetics lab syllabus with others from the college. He says that the panel's assessment criteria are unknown to him, but that they found his syllabus was somehow different than the comparison group. (A report from the panel says that his stated learning outcomes fail to make a clear connection to the course content or any required reading, activities or assignments.)

Consequently, the panel allegedly upheld McGee's proposed sanctions <sup>[6]</sup> -- including Dillon being suspended and barred from campus without pay for the upcoming fall semester. Dillon also would have been banned from teaching in the spring and summer and allowed only to return to teaching in a year pending approval of his syllabi.

A faculty grievance committee later determined the case to be "unresolved." The suspensions stand.

In April, Charleston created a new "mandatory syllabus content" official policy, which says all syllabi must be approved by supervisors, and that it won't be overridden by subsequent revisions to the faculty manual.

His reputation damaged, Dillon says he's chosen to retire this summer rather than wait out his suspension.

The college declined comment on the case, citing pending litigation.

Dillon's complaint alleges defamation and violations of due process and his First Amendment rights. It's heavily concerned with academic freedom, and it certainly has all the hallmarks of that kind of fight. The American Association of University Professors, for example, has appealed to the college on Dillon's behalf. Its statement on assessment says that faculty members maintain "primary responsibility for establishing the criteria for assessment and the methods for implementing it."

But Dillon's lawsuit also centers on the role of the accreditor in assessment. Hinting that the college may have used its upcoming accreditation review as an excuse to swat a known gadfly, the complaint says that a "single paragraph in a professor's syllabus cannot possibly jeopardize any college's reaccreditation."

Is that true? Dillon notes, correctly, that SACSCOC's Principles of Accreditation <sup>[7]</sup> do not address syllabus content. Yet student learning outcomes -- a growing focus for regional accreditors -- loom large in those standards. SACSCOC's principles on institutional effectiveness, for example, say that the college or university "identifies expected outcomes, assesses the extent to which it achieves these outcomes and provides evidence of improvement based on analysis of the results" in several areas. Those include "educational programs, to include student learning outcomes."

Educational programs, yes. But what about individual courses? Belle Wheelan, president of SACSCOC, said that her organization doesn't mandate that faculty members include learning outcomes on their syllabi. But since the syllabus is "generally the way faculty communicate with students about the specifics of the course," she said, it's "logical that the outcomes would be included there." Most institutions do tend to include required learning outcomes in the syllabi, she added.

The Association of American Colleges and Universities also has stressed the importance of learning outcomes. Its Liberal Education and America's Promise campaign, for example, is organized around a set of "essential learning outcomes <sup>[8]</sup>" for a contemporary liberal education, accompanied by corresponding rubrics. Its Degree Qualifications Profile seeks to define what students need to do to demonstrate that they've learned what's signified by their credential, in part so that employers understand its value.

According to information included in a recent Lumina Foundation [report](#) <sup>[9]</sup> on learning outcomes, with which the association was heavily involved, 85 percent of individual institutions report progress in defining learning outcomes, and most report they're assessing them.

But, to Dillon's point about "manipulating fruit flies" with regard to a liberal education, these outcomes aren't necessarily articulated course by course.

Yet AAC&U has advocated for more faculty involvement and granularity in thinking about outcomes. Debra Humphreys, the association's senior vice president for academic planning and public engagement, said at a Lumina meeting on the matter earlier this year that one major problem with learning outcomes is that too many students aren't meeting them. Faculty members can help address that, she said.

"We need more students to have these outcomes and at higher levels," Humphreys said. "Furthermore, too many students do not graduate and too many who do graduate do not have the breadth of learning at the level of learning they need." She advocated for a culture shift toward "cultures of evidence," in which faculty members are more involved in assessing whether outcomes have been met.

Some professors see faculty work as innately individual, and resist group approaches to what happens in their classrooms. Beyond that, another major problem appears to be when professors see outcomes -- to use Dillon's word -- as "trivialities." How can that be avoided?

Daniel J. McInerney, a professor of history at Utah State University and a [Degree Qualifications Profile and outcomes tuning coach](#) <sup>[10]</sup> for the National Institute for Learning Outcomes Assessment, said one of his main concerns in all outcomes discussions is whether there's a "top-down" vs. "bottom-up" approach. "Are faculty defining the outcomes, or are the expectations coming from above, [from] those who are not discipline experts?" he asked.

McInerney said he didn't know the specifics of the Dillon case, but that he and other core proponents of an outcome approach "recognize the importance of faculty involvement -- and ownership -- in the process to make certain the goals carry significant disciplinary meaning and rigor."

Learning outcomes are both loved and loathed by higher education experts. Robert Shireman, a senior fellow at the Century Foundation, in a recent [essay](#) <sup>[11]</sup> traced the preoccupation among accreditors to the 2006 Spellings Commission report, which emphasized how colleges and universities are preparing students for 21st-century jobs. Rather than meaningful measures of accountability, Shireman argues that the outcomes "bandwagon" is really "worthless bean counting and cataloging exercises that give faculty members every reason to ignore or reject the approach." Yet rather than abandon the failed strategy, he wrote many proponents of outcomes "insist that any criticism comes from faculty who just do not want to be held accountable."

Shireman in an interview said that the Dillon case, its particularities aside, appeared to be an example of that runaway bandwagon. A faculty member should never be forced out of a job for not including outcomes on a syllabus, he said. Yet he took a somewhat softer tone toward outcomes than in his essay, saying they're not all bad.

"I've had many faculty members tell me it's useful to them to have outcomes, like an outline for your course, and there's nothing wrong with having an outline," he said. The problem arises when outside parties -- accreditors included -- rely on outcomes as definitive proof that learning has been achieved, he added. And the only way to do that is to look at what is happening in a professor's classroom and examples of student work.

“Classroom discussions, student papers, exams -- if that is adequate, then that should be the measure of whether a faculty member is doing a good job,” Shireman said. “Not whether the professor has boiled everything down to the blurbs that are erroneously called learning outcomes.”

Student work is supposed to be part of the accreditation process, but accreditors, SACSCOC included, don't always look at student work as part of their reviews. Shireman said that's not necessarily a problem, since faculty review committees can look at it as part of their preparation processes.

Peter Ewell, president emeritus of the National Center for Higher Education Management Systems, an institutional management research center, said the Dillon case appeared on all sides to be an overreaction to a valid accreditation requirement.

Outcomes are about “gathering evidence and feedback so that institutions can improve” in terms of student learning, Ewell said. “That sort of commitment is important, and it's within an accreditor's right to ask an institution to do that.”

At the same time, Ewell said, he was somewhat agnostic about how outcomes are articulated to accreditors and students -- so long as they are. And sometimes accreditors' approaches can seem “mechanical” to faculty members, rubbing them the wrong way, he added.

Reviewing actual student work -- what Shireman advocated -- is more common as part of the accreditation processes for specific, practically oriented programs, such as teacher education or engineering, although some regional accreditors have called for more of that, Ewell said.

As for the Dillon case, it appears it “certainly shouldn't have gone that far,” he said.

[Accreditation and Student Learning](#) <sup>[12]</sup>  
[Teaching and Learning](#) <sup>[13]</sup>

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**Links:**

- [1] <http://imgweb.charlestoncounty.org/CMSOBView/Service1.aspx/StreamDocAsPDF?viewertype=cms&ctagency=10002&casenumber=2016CP1003774&docseq=P1A1>
- [2] <http://www.fwgna.org/dillonr/WWW/305LS16-syl.pdf>
- [3] <http://www.fwgna.org/dillonr/WWW/hillenius-email-21Jan16.pdf>
- [4] <http://www.fwgna.org/dillonr/WWW/auerbach-email-9Feb16.pdf>
- [5] <http://policy.cofc.edu/documents/7.4.4.pdf>
- [6] <http://www.fwgna.org/dillonr/WWW/mcgee-memo-18Mar16.pdf>
- [7] <http://www.sacscoc.org/pdf/2012PrinciplesOfAccreditation.pdf>
- [8] <https://www.aacu.org/leap/essential-learning-outcomes>
- [9] <https://www.luminafoundation.org/resources/the-emerging-learning-system>
- [10] <http://degreeprofile.org/coaches/>
- [11] <https://tcf.org/content/report/the-real-value-of-what-students-do-in-college/>
- [12] <https://www.insidehighered.com/news/news-sections/accreditation-and-student-learning>
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