2016-2017 SENATE COUNCIL ON RESEARCH & SCHOLARSHIP AGENDA October 3, 2016 2:00 p.m. Marston Library L136

- Online IRB training module Possible survey for feedback
- Research Information Management Systems: guest speaker (Ed Neu)
- Animal Research: Office of Research and Task Force (Irene Cooke)
- Academic Freedom and Responsibility (be sure and read for clarity/comment: <u>http://regulations.ufl.edu/wp-content/uploads/2012/09/7018.pdf</u>and attached AAU 1940 document)
- IDC 2.5% (Sylvain Dore)
- Changes in fringe
- University Library Committee
- Additional Topics

Research & Scholarship Council Minutes September 1, 2016 1:00 Marston Science Library L-136

Attendees: Angela Bacsik, University Libraries Committee Avni Bhatt, Student Representative Sylvain Doré, College of Medicine Gillian Lord, Spanish and Portuguese Studies Valrie Minson, Marston Science Library Jorg Peters, Computer Information Sience

Valrie Minson opened the meeting at 1:00 p.m. and the Council voted to approve the April minutes.

Discuss goals for upcoming year:

IRB Training Module

SCORS will discuss at a future meeting how to evaluate the IRB training module.

Multi-institutional grant support

The Chair of Faculty Senate requested SCORS explore whether faculty are prepared to serve as P.I.s on multi-institutional grants. Is there a need for project management training? SCORS believes that a UF-sponsored Project Management Software would be helpful. There was also mention that reading payroll and fiscal reports can be challenging. What other challenges exist? There was general agreement that a ½ day workshop might not be utilized or helpful, but perhaps offer online trainings. Additionally, SCORS needed clarification on what drove the question. What skills are people lacking?

Academic Freedom and Responsibility

SCORS members will review the language prior to the next meeting (http://regulations.ufl.edu/wpcontent/uploads/2012/09/7018.pdf). In late October there will be a campus-wide panel on Academic Freedom and Responsibility. The FS Chair has asked that SCORS review the Academic Freedom and Responsibilities document and comment on areas requiring clarification. SCORS members will read and comment at the next meeting. Dr. Welt was an invited guest speaker to share his thoughts on academic freedom and responsibility (shared documents URL). He hoped UF wouldn't define anew the concepts of academic freedom and responsibility and shared the University of Chicago Dean of Students letter (https://twitter.com/ChicagoMaroon/status/768561465183862785/photo/1?ref_src=twsrc%5Etfw) and a thefire.org adapted resolution for UF. There was a discussion about the professor vs. the curriculum committee and the differences between limiting discourse and providing warnings prior to discourse. Prior to the next meeting, Dr. Welt will compare the UF regulations to the proposed resolution and share his comments with the Chair via email. SCORS would explore the AAUP as another source for a similar document (legal history; Academic Freedom of professors and institutions). Before the next meeting, the Council should read the academic freedom and responsibility document as well as the resolution. Compare what is different between the two. It was proposed we invite the Dean of Students to the next meeting (Jen Shaw). Additionally, we can provide the resolution as an information item at a future FS meeting, if desired.

University Library Committee

Angela introduced the work of the ULC and said the process of shifting reporting structure to SCORS will take a full year. There are ongoing facilities issues and questions that will report up through infrastructure. Other issues appropriate to SCORS are changes in the Elsevier project and extending to other CHORUS publishers, such as Wiley (in the future). Authors of funded projects will be assisted in compliance reporting. Angela will identify a faculty ULC member to report at SCORS meetings when she has schedule conflicts. Future topics to be discussed include VIVO (and other academic management softwares), review of the progress on consolidation of online training, DSP funding and update from the Provost re-starting the Open Access funding, as previously discussed.

Other Topics (as identified by last report)

Academic Analytics: the Council will revisit asking Provost Glover to present to Faculty Senate on the unit-level uses of Academic Analytics. The Academic Deans are revisiting the uses of Research Information Management Systems (such as Pure or Symplectic) that may assist with faculty reporting. This would perhaps be a topic for a future meeting.

Another issue that was raised was why the 2.5% will now be collected from the direct dollars on NIH grants (after the recent change from 50-52.5% was approved). We understand this likely applies to only a limited numbers of grants during this transition but we feel that investigators should have to cover this new cost that was not included in the original grant submission.

1940 Statement of Principles on Academic Freedom and Tenure

with 1970 Interpretive Comments

In 1915 the Committee on Academic Freedom and Academic Tenure of the American Association of University Professors formulated a statement of principles on academic freedom and academic tenure known as the 1915 *Declaration of Principles,* which was officially endorsed by the Association at its Second Annual Meeting held in Washington, D.C., December 31, 1915, and January 1, 1916.

In 1925 the American Council on Education called a conference of representatives of a number of its constituent members, among them the American Association of University Professors, for the purpose of formulating a shorter statement of principles on academic freedom and tenure. The statement formulated at this conference, known as the 1925 *Conference Statement on Academic Freedom and Tenure*, was endorsed by the Association of American Colleges (now the Association of American Colleges and Universities) in 1925 and by the American Association of University Professors in 1926.

In 1940, following a series of joint conferences begun in 1934, representatives of the American Association of University Professors and of the Association of American Colleges agreed on a restatement of the principles that had been set forth in the 1925 *Conference Statement on Academic Freedom and Tenure*. This restatement is known to the profession as the 1940 *Statement of Principles on Academic Freedom and Tenure*.

Following extensive discussions on the 1940 *Statement of Principles on Academic Freedom and Tenure* with leading educational associations and with individual faculty members and administrators, a joint committee of the AAUP and the Association of American Colleges met during 1969 to reevaluate this key policy statement. On the basis of the comments received, and the discussions that ensued, the joint committee felt the preferable approach was to formulate interpretations of the 1940 *Statement* from the experience gained in implementing and applying it for over thirty years and of adapting it to current needs.

The committee submitted to the two associations for their consideration *Interpretive Comments* that are included below as footnotes to the 1940 *Statement*.¹ These interpretations were adopted by the Council of the American Association of University Professors in April 1970 and endorsed by the Fifty-Sixth Annual Meeting as Association policy.

1. The Introduction to the Interpretive Comments notes: In the thirty years since their promulgation, the principles of the 1940 "Statement of Principles on Academic Freedom and Tenure" have undergone a substantial amount of refinement. This has evolved through a variety of processes, including customary acceptance, understandings mutually arrived at between institutions and professors or their representatives, investigations and reports by the American Association of University Professors, and formulations of statements by that association either alone or in conjunction with the Association of American

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to ensure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole.² The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.³

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession

Also, there have been relevant developments in the law itself reflecting a growing insistence by the courts on due process within the academic community which parallels the essential concepts of the 1940 "Statement"; particularly relevant is the identification by the Supreme Court of academic freedom as a right protected by the First Amendment. As the Supreme Court said in *Keyishian v. Board of Regents*, 385 US 589 (1967), "Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom."

2. The word "teacher" as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.

3. First 1970 comment: The Association of American Colleges and the American Association of University Professors have long recognized that membership in the academic profession carries with it special responsibilities. Both associations either separately or jointly have consistently affirmed these responsibilities in major policy statements, providing guidance to professors in their utterances as citizens, in the exercise of their responsibilities to the institution and to students, and in their conduct when resigning from their institution or when undertaking government-sponsored research. Of particular relevance is the "Statement on Professional Ethics" adopted in 1966 as Association policy (AAUP, *Policy Documents and Reports*, 11th ed. [Baltimore: Johns Hopkins University Press, 2015], 145–46). attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

Academic Freedom

- Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- 2. 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.⁴ Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.⁵
- 3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.⁶

4. Second 1970 comment: The intent of this statement is not to discourage what is "controversial." Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The passage serves to underscore the need for teachers to avoid persistently intruding material which has no relation to their subject.

5. Third 1970 comment: Most church-related institutions no longer need or desire the departure from the principle of academic freedom implied in the 1940 "Statement," and we do not now endorse such a departure.

6. Fourth 1970 comment: This paragraph is the subject of an interpretation adopted by the sponsors of the 1940 "Statement" immediately following its endorsement:

If the administration of a college or university feels that a teacher has not observed the admonitions of paragraph 3 of the section on Academic Freedom and believes that the extramural utterances of the teacher have been such as to raise grave doubts concerning the teacher's fitness for his or her position, it may proceed to file charges under paragraph 4 of the section on Academic Tenure. In pressing such charges, the administration should remember that teachers are citizens and should be

Colleges. These comments represent the attempt of the two associations, as the original sponsors of the 1940 "Statement," to formulate the most important of these refinements. Their incorporation here as Interpretive Comments is based upon the premise that the 1940 "Statement" is not a static code but a fundamental document designed to set a framework of norms to guide adaptations to changing times and circumstances.

Academic Tenure

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies.

In the interpretation of this principle it is understood that the following represents acceptable academic practice:

- The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
- 2. Beginning with appointment to the rank of full-time instructor or a higher rank,⁷ the

Paragraph 3 of the section on Academic Freedom in the 1940 "Statement" should also be interpreted in keeping with the 1964 "Committee A Statement on Extramural Utterances," *Policy Documents and Reports*, 31, which states inter alia: "The controlling principle is that a faculty member's expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member's unfitness for his or her position. Extramural utterances rarely bear upon the faculty member's fitness for the position. Moreover, a final decision should take into account the faculty member's entire record as a teacher and scholar."

Paragraph 5 of the "Statement on Professional Ethics," *Policy Documents and Reports*, 146, also addresses the nature of the "special obligations" of the teacher:

As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Both the protection of academic freedom and the requirements of academic responsibility apply not only to the full-time probationary and the tenured teacher, but also to all others, such as part-time faculty and teaching assistants, who exercise teaching responsibilities.

7. Fifth 1970 comment: The concept of "rank of full-time instructor or a higher rank" is intended to include any person who teaches a full-time load regardless of the teacher's specific title. [For a discussion of this question, see the "Report of the Special Committee on Academic

probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution, it may be agreed in writing that the new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years.8 Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.9

Personnel Ineligible for Tenure," *AAUP Bulletin* 52 (September 1966): 280–82.]

8. Sixth 1970 comment: In calling for an agreement "in writing" on the amount of credit given for a faculty member's prior service at other institutions, the "Statement" furthers the general policy of full understanding by the professor of the terms and conditions of the appointment. It does not necessarily follow that a professor's tenure rights have been violated because of the absence of a written agreement on this matter. Nonetheless, especially because of the variation in permissible institutional practices, a written understanding concerning these matters at the time of appointment is particularly appropriate and advantageous to both the individual and the institution. [For a more detailed statement on this question, see "On Crediting Prior Service Elsewhere as Part of the Probationary Period," *Policy Documents and Reports*, 167–68.]

9. Seventh 1970 comment: The effect of this subparagraph is that a decision on tenure, favorable or unfavorable, must be made at least twelve months prior to the completion of the probationary period. If the decision is negative, the appointment for the following year becomes a terminal one. If the decision is affirmative, the provisions in the 1940 "Statement" with respect to the termination of service of teachers or investigators after the expiration of a probationary period should apply from the date when the favorable decision is made.

The general principle of notice contained in this paragraph is developed with greater specificity in the "Standards for Notice of Nonreappointment," endorsed by the Fiftieth Annual Meeting of the American Association of University Professors (1964) (*Policy Documents and Reports*, 99). These standards are:

Notice of nonreappointment, or of intention not to recommend reappointment to the governing board, should be given in writing in accordance with the following standards:

 Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

accorded the freedom of citizens. In such cases the administration must assume full responsibility, and the American Association of University Professors and the Association of American Colleges are free to make an investigation.

- 3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.¹⁰
- 4. Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges and should have the opportunity to be heard in his or her own defense by all bodies that pass judgment upon the case. The teacher should be permitted to be accompanied by an advisor of his or her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from the teacher's own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.¹¹

3. At least twelve months before the expiration of an appointment after two or more years in the institution.

Other obligations, both of institutions and of individuals, are described in the "Statement on Recruitment and Resignation of Faculty Members," *Policy Documents and Reports*, 153–54, as endorsed by the Association of American Colleges and the American Association of University Professors in 1961.

10. Eighth 1970 comment: The freedom of probationary teachers is enhanced by the establishment of a regular procedure for the periodic evaluation and assessment of the teacher's academic performance during probationary status. Provision should be made for regularized procedures for the consideration of complaints by probationary teachers that their academic freedom has been violated. One suggested procedure to serve these purposes is contained in the "Recommended Institutional Regulations on Academic Freedom and Tenure," *Policy Documents and Reports,* 79–90, prepared by the American Association of University Professors.

11. Ninth 1970 comment: A further specification of the academic due process to which the teacher is entitled under this paragraph is contained in the "Statement on Procedural Standards in Faculty Dismissal Proceedings," *Policy Documents and Reports*, 91–93, jointly approved by the

5. Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

Endorsers

Note: Groups that changed names subsequent to endorsing the statement are listed under their current names.

Association of American Colleges and
Universities
American Association of University
Professors1941
American Library Association (adapted for
librarians)1946
Association of American Law Schools1946
American Political Science Association
American Association for Higher
Education and Accreditation1950
American Association of Colleges for
Teacher Education1950
Eastern Psychological Association1950
Southern Society for Philosophy and
Psychology1953
American Psychological Association1961
American Historical Association1961
Modern Language Association1962
American Economic Association1962
Agricultural and Applied Economic
Association1962
Midwest Sociological Society1963
Organization of American Historians1963
Society for Classical Studies1963
American Council of Learned Societies1963
American Sociological Association1963

American Association of University Professors and the Association of American Colleges in 1958. This interpretive document deals with the issue of suspension, about which the 1940 "Statement" is silent.

The "Statement on Procedural Standards in Faculty Dismissal Proceedings" provides: "Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Unless legal considerations forbid, any such suspension should be with pay." A suspension which is not followed by either reinstatement or the opportunity for a hearing is in effect a summary dismissal in violation of academic due process.

The concept of "moral turpitude" identifies the exceptional case in which the professor may be denied a year's teaching or pay in whole or in part. The statement applies to that kind of behavior which goes beyond simply warranting discharge and is so utterly blameworthy as to make it inappropriate to require the offering of a year's teaching or pay. The standard is not that the moral sensibilities of persons in the particular community have been affronted. The standard is behavior that would evoke condemnation by the academic community generally.

Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.

Southern Historical Association	1963
American Studies Association	1963
Association of American Geographers	1963
Southern Economic Association	
Classical Association of the Middle West	
and South	1964
Southwestern Social Science Association	
Archaeological Institute of America	1964
Southern Management Association	
American Theatre Association	
(now dissolved)	1964
South Central Modern Language	
Association	1964
Southwestern Philosophical Society	
Council of Independent Colleges	
Mathematical Association of America	
Arizona-Nevada Academy of Science	
American Risk and Insurance Association	
Academy of Management	
American Catholic Historical Association	
American Catholic Philosophical	
Association	1966
Association for Education in Journalism	1900
and Mass Communication	1966
Western History Association	
Mountain-Plains Philosophical Conference	
Society of American Archivists	
Southeastern Psychological Association	
Southern States Communication	1966
Association	
Association American Mathematical Society	
Association American Mathematical Society Association for Slavic, East European,	1967
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American Speech-Language-Hearing
Association1968
Association of Social and Behavioral
Scientists1968
College English Association1968
National College Physical Education
Association for Men
American Real Estate and Urban Economics
Association
Council for Philosophical Studies
History of Education Society
American Musicological Society
American Association of Teachers of
Spanish and Portuguese
Texas Community College Teachers
Association
College Art Association of America1970
Society of Professors of Education
American Anthropological Association1970
Association of Theological Schools1970
Association of Schools of Journalism and
Mass Communication1971
Academy of Legal Studies in Business1971
Americans for the Arts1972
New York State Mathematics Association
of Two-Year Colleges1972
College Language Association
Pennsylvania Historical Association
American Philosophical Association
American Classical League
American Comparative Literature
Association
Rocky Mountain Modern Language
Association
Society of Architectural Historians
American Statistical Association
American Folklore Society
Association for Asian Studies1975
Linguistic Society of America1975
African Studies Association1975
American Institute of Biological Sciences1975
North American Conference on British
Studies1975
Sixteenth-Century Society and Conference 1975
Texas Association of College Teachers1976
Association for Jewish Studies
Association for Spanish and Portuguese
Historical Studies 1976
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North Central Sociological Association Dante Society of America	
Association for Communication	
Administration	1981
National Communication Association	1981
American Association of Physics Teachers	1982
Middle East Studies Association	
National Education Association	1985
American Institute of Chemists	1985
American Association of Teachers	
of German	1985
American Association of Teachers of Italian.	1985
American Association for Applied	
Linguistics	1986
American Association for Cancer Education.	
American Society of Church History	
Oral History Association	1987
Society for French Historical Studies	1987
History of Science Society	
American Association of Pharmaceutical	
Scientists	1988
American Association for Clinical	
Chemistry	1988
Council for Chemical Research	1988
Association for the Study of Higher	
Education	1988
American Psychological Association	
Association for Psychological Science	
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Council of Teachers of Southeast	
Asian Languages	.1994
American Association of Teachers of Arabic	.1994
American Association of Teachers of	
Japanese	.1994
Academic Senate for California	
Community Colleges	.1996
National Council for the Social Studies	.1996
Council of Academic Programs in	
Communication Sciences and Disorders	.1996
Association for Women in Mathematics	.1997
Philosophy of Time Society	.1998
World Communication Association	.1999
The Historical Society	.1999
Association for Theatre in Higher Education.	.1999
National Association for Ethnic Studies	.1999
Association of Ancient Historians	.1999
American Culture Association	.1999
American Conference for Irish Studies	.1999
Society for Philosophy in the	
Contemporary World	.1999
Eastern Communication Association	.1999
Association for Canadian Studies	
in the United States	.1999
American Association for the History of	
Medicine	2000
Missouri Association of Faculty Senates	2000
Association for Symbolic Logic	2000
American Society of Criminology	.2001
American Jewish Historical Society	.2001
New England Historical Association	.2001
Society for the Scientific Study of Religion	.2001
Society for German-American Studies	.2001
Society for Historians of the Gilded Age	
and Progressive Era	
Eastern Sociological Society	
Chinese Historians in the United States	.2001
Community College Humanities	
Association	
Immigration and Ethnic History Society	
Society for Early Modern Catholic Studies	.2002
Academic Senate of the California State	
University	
Agricultural History Society	2004
National Council for Accreditation	
of Teacher Education	2005
American Council on the Teaching	
of Foreign Languages	
Society for the Study of Social Biology	
Society for the Study of Social Problems	
Association of Black Sociologists	
Dictionary Society of North America	
Society for Buddhist-Christian Studies	
Society for Armenian Studies	2006
Society for the Advancement of	
Scandinavian Study	2006

American Physiological Society	2006
National Women's Studies Association	2006
National Coalition for History	2006
Society for Military History	
Society for Industrial and Applied	
Mathematics	2006
Association for Research on Ethnicity and	
Nationalism in the Americas	2006
Society of Dance History Scholars	2006
Association of Literary Scholars, Critics,	
and Writers	2006
National Council on Public History	2006
College Forum of the National Council of	
Teachers of English	2006
Society for Music Theory	2006
Society for Historians of American	
Foreign Relations	2006
Law and Society Association	
Society for Applied Anthropology	2006
American Society of Plant Taxonomists	2006
Society for the History of Technology	2006
German Studies Association	2006
Association of College and Research	
Libraries	
Czechoslovak Studies Association	2007
American Educational Studies Association	2007
Southeastern Women's Studies Association	
American Academy for Jewish Research	2014
American Association for Ukrainian	
Studies	
American Association of Italian Studies	
American Theatre and Drama Society	
Central European History Society	
Central States Communication Association	2014

Chinese Language Teachers Association	2014
Coordinating Council for Women	
in History	2014
Ecological Society of America	2014
Institute for American Religious and	
Philosophical Thought	2014
Italian American Studies Association	2014
Midwestern Psychological Association	2014
Modern Greek Studies Association	2014
National Association of Professors	
of Hebrew	2014
National Council of Less Commonly	
Taught Languages	2014
Population Association of America	2014
Society for Italian Historical Studies	2014
Society for Psychophysiological Research	2014
Society for Romanian Studies	2014
Society for Textual Scholarship	2014
Society for the History of Children and	
Youth	2014
Society for the Psychological Study	
of Social Issues	2014
Society for the Study of the Multi-Ethnic	
Literature of the United States	2014
Society of Civil War Historians	2014
Society of Mathematical Psychology	2014
Sociologists for Women in Society	2014
Urban History Association	
World History Association	2014
American Educational Research	
Association	2014
Labor and Working-Class History	
Association	2014
Paleontological Society	