

## MOTION

by Prof. Mark Rupert and Prof. Margaret Thompson

5 November 2014

that the University Senate concurs in the resolution described on the following pages, calling for affirmation of academic freedom and shared governance at the University of Illinois.

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*Whereas* academic freedom and the protection of First Amendment rights to free speech, and a commitment to fairness and transparency in all academic procedures and practices, including faculty hires and other labor practices, form the foundations of the American public higher educational system;

*Whereas* after the customary review of teaching, research and service credentials the University of Illinois at Urbana-Champaign College of Liberal Arts and Sciences made a written offer on October 3, 2013 to Professor Steven Salaita for an appointment, with tenure, as Associate Professor in the College's American Indian Studies program (<http://www.news-gazette.com/sites/all/files/pdf/2014/08/13/14-529.Documents.pdf>);

*Whereas* Professor Salaita accepted the offer, and relying upon the common practice that the Board of Trustees approval was pro forma, a practice that thousands of university faculty have relied upon, resigned from his tenured position in the English Dept at Virginia Tech University;

*Whereas* Chancellor Phyllis Wise of UIUC, on August 1, 2014, summarily and without faculty consultation, informed Professor Salaita that she would not forward his contract to the Board of Trustees, thereby undermining every preceding review by faculty and administrative personnel;

*Whereas* news reports from several reputable sources such as Inside Higher Education assert that the administrative decision of Chancellor Wise to block Professor Salaita's employment at UIUC was a response to complaints about his postings to [twitter.com](http://twitter.com). (<https://www.insidehighered.com/news/2014/08/25/u-illinois-officials-defend-decision-deny-job-scholar-documents-show-lobbying>). And University documents made public through Freedom of Information requests reveal that the Chancellor's office was responding to considerable pressure from influential alumni and major donors calling for the termination of Salaita's faculty appointment ([http://www.newsgazette.com/sites/all/files/pdf/2014/09/01/UI\\_FOIA.pdf](http://www.newsgazette.com/sites/all/files/pdf/2014/09/01/UI_FOIA.pdf)).

*Whereas* Chancellor Wise (<http://illinois.edu/blog/view/1109/115906>) and the Board of Trustees (<https://cfaillinois.files.wordpress.com/2014/08/civility-massmail.pdf>) issued statements on August 22, 2014 introducing a vague and dangerous "civility" standard that is contrary to academic freedom in its content and contrary to shared governance in the process of its formulation, as those statements were produced without faculty consultation;

*Whereas* 60 prominent professors at UIUC issued a public proclamation on August 26, 2014 that concludes as follows: “We call upon all members of the UI community and concerned Illinois citizens to join us in urging Chancellor Wise, President Easter and Chair of the Board of Trustees Christopher Kennedy to reinstate the offer to Professor Salaita. Decisions of such weight require diligent consultation with the relevant faculty experts, open dialogue, transparent procedures and adherence to established protocols. The university has time-tested practices for handling concerns from the public which can be followed in this case like any other. We must reject administrative irregularities and secretive decision-making in favor of preserving our commitment to academic excellence, shared governance, freedom of speech and procedural rectitude. The integrity and reputation of the University of Illinois are at stake”; (<http://www.news-gazette.com/opinion/guest-commentary/2014-08-26/ui-precluded-any-honest-debate.html>)

*Whereas* the AAUP’s 1940 “Statement of Principles on Academic Freedom and Tenure” explicitly states that when faculty “speak or write as citizens, they should be free from institutional censorship” (<http://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>). The AAUP’s Statement on Academic Freedom and Electronic Communications (<http://www.aaup.org/report/academic-freedom-and-electronic-communications-2014>) has argued “social media can be used to make extramural utterance and thus their use is subject to Association-supported principles of academic freedom, which encompass extramural utterances.” The report also argues that in electronic media “faculty members cannot be held responsible for always indicating that they are speaking as individuals and not in the name of their institution, especially if doing so will place an undue burden on the faculty member’s ability to express views in electronic media.”

*Whereas* Rudy Fichtenbaum, National AAUP president, and Hank Reichman, first vice-president and chair of the AAUP's Committee A on Academic Freedom and Tenure, issued a statement on August 7, 2014 that read in part, “there is good reason to fear that Professor Salaita's academic freedom and possibly that of the Illinois faculty members who recommended hiring him have been violated” and concluded by saying "AAUP has long objected to using criteria of civility and collegiality in faculty evaluation because we view this as a threat to academic freedom. It stands to reason that this objection should extend as well to decisions about hiring, especially about hiring to a tenured position" (<http://www.aaup.org/media-release/statement-case-steven-salaita>);

*Whereas* the AAUP issued a letter, dated August 29, 2014, directly addressing Chancellor Wise and advising her, “Aborting an appointment in this manner without having demonstrated cause has consistently been seen by the AAUP as tantamount to summary dismissal, an action categorically inimical to academic freedom and due process.... We see that a very serious issue of academic freedom has been raised by the actions against [Professor Salaita], an issue that will not be resolved as long as the actions remain in effect and their soundness has not been demonstrated by the University of Illinois administration under requisite safeguards of academic due process” (<http://www.aaup.org/file/AAUPLetterChancellorWise.pdf>);

3.

*Whereas* the Executive Council of the Modern Language Association (MLA) released a statement addressed to Chancellor Wise on August 15, 2014, that read in part, "The members of the Modern Language Association's Executive Council strongly urge you to reconsider your decision to revoke Professor Steven Salaita's appointment to a tenured position in the American Indian Studies Program at the University of Illinois, Urbana-Champaign. According to the facts reported in *The Chronicle of Higher Education* on 7 August 2014 (<http://chronicle.com/article/Denial-of-Job-to-Harsh-Critic/148211/>) and *Inside Higher Ed* on 6 August 2014 (<https://www.insidehighered.com/news/2014/08/06/u-illinois-apparently-revokes-job-offer-controversial-scholar>), your decision seems to abrogate long-established principles of academic due process and to violate the principles of academic freedom of expression to which your university expressly adheres (see art. 10, sec. 2, at <http://www.bot.uillinois.edu/statutes>). We urge you to submit Professor Salaita's appointment to the board for confirmation or to allow your university's Faculty Senate Committee on Academic Freedom and Tenure to review your decision" ([http://www.mla.org/ec\\_univ\\_illinois](http://www.mla.org/ec_univ_illinois));

*Whereas* past, current, and president-elect of the American Historical Association wrote a joint letter to Chancellor Wise, dated August 31, 2014, in which they argued that "imposing the requirement of 'civility' on speech in a university community or any other sector of our public sphere ... produces a chilling effect, inhibiting the full exchange of ideas that both scholarly investigation and democratic institutions need." They further state that they find "procedural irregularities" surrounding Professor Salaita's dismissal to be "equally troubling." They warn Chancellor Wise "you risk saddling your institution with a reputation for arbitrary administrative practices, certainly the American Historical Association would have concerns about our members applying for positions at Illinois"; (<http://blog.historians.org/2014/09/letter-to-university-of-illinois-chancellor-regarding-salaita/>)

*Whereas* the administrative revocation of Professor Salaita's contract constitutes a significant assault on the principle of academic freedom and that of shared governance, and produces a chilling effect on the ability of faculty members to speak openly on matters of public concern without fear of their jobs;

***Therefore be it resolved that the University Senate joins with our colleagues at UIUC as well as with the above-mentioned organizations and individuals to call upon Chancellor Wise and the Board of Trustees to honor the contract of Professor Salaita or to demonstrate, via AAUP recognized procedures of academic due process, that termination is warranted;***

***Be it further resolved that the University Senate calls on all members of the University to reaffirm our commitment to academic freedom as articulated in the Faculty Manual (<http://provost.syr.edu/faculty-support/faculty-manual/3-51-academic-freedom/>), and the AAUP guidelines extending these protections to faculty publications in electronic media***

(Based on a draft resolution by John Protevi, LSU, revised by M. Thompson, M. Rupert.)