

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN SENATE  
COMMITTEE ON ACADEMIC FREEDOM AND TENURE  
(Final; Information)

AF.22.06 2021-2022 Annual Report of the Senate Committee on Academic Freedom and Tenure

This report summarized the activities of the Senate Committee on Academic Freedom and Tenure (AF) during the 2021-2022 academic year. AF met on September 2 and May 16. More detailed information is provided in the minutes of that meeting.

The tenure system faculty members of the committee were called to serve as a hearing committee under the *Statutes*, Article X.

I. ITEMS REMOVED FROM THE AGENDA

**AF.22.01, Discussion on Referral of Previous Hearing to Board of Trustees**

A previous Article X hearing found that the relevant faculty member could be relied on. The President exercised the statutory right to refer that case to the Board of Trustees. In general, AF follows AAUP and deprecates such referrals unless they are rare and are justified by compelling reasons. There has been confidential correspondence and discussion dealing with the proper position for AF to take in the particular case referred. The respondent faculty member resigned shortly before the Board held a hearing, and so AF did not need to take a position.

**AF.22.02, Rules and Procedures for Upcoming Hearing**

AF reviewed the *Statutes*, Article X regarding dismissal of faculty in the *Statutes*, Article X, Section 1.d and discussed the procedural structure of the dismissal hearing which they were charged to consider during the academic year.

**AF.22.03, Campus Administrative Manual Expressive Activity Policy**

At the request of the Senate Executive Committee, AF reviewed the proposed Expressive Activity Policy. Feedback from AF was shared with University Counsel.

II. ITEMS UNDER CONSIDERATION BY THE COMMITTEE

**AF.20.01, Review of the Bylaws, Part D.2 – Committee on Academic Freedom and Tenure**

At the request of the Senate Executive Committee, AF continued examination of its duties and membership in the *Bylaws*, Part D.2. The Eighth Senate Review Commission recommended AF review the *Statutes*, Article IX, Section 6b(3) to determine if a

committee has been specified by the Senate for hearings regarding severe sanctions of faculty other than dismissal for cause. AF will recommend revision to the *Bylaws* to specify the role of AF as a hearing committee specified in the *Statutes*, Section 6b(3).

**AF.20.03, Review of the Statutes, Article IX, Section 6 – Severe Sanctions Other Than Dismissal for Cause for Members of the Faculty**

The Office of the Provost requested that AF consider the *Statutes*, Article IX, Section 6 which governs the imposition of significant sanctions lesser than dismissal. During the 2019-2020 academic year, AF identified three aspects of Article IX that might bear reconsideration. AF will discuss this issue further next academic year.

**AF.22.04, Units and Positions on Political Issues**

A number of faculty members requested that AF investigate and consider findings dealing with departments making public statements of departmental positions. While AF was discussing this issue, the Senate Committee on General University Policy (GP) prepared a position for the Senate to adopt. The Chair of AF objected that GP's position did not properly attend to Article X.2(a) protecting members of academic staff from influences within the University that tend to reduce academic freedom, and the Senate referred the issue to AF. AF is currently drafting a proposal.

**AF.22.05, Review of the Statutes (USC ST-83)**

During an Article X hearing, AF was asked to consider USC ST-83. The committee was occupied with the hearing, and did not consider USC ST-83. The chair of AF advised in a letter to the then SEC chair that AF could be expected to advise the Senate to reject at least five proposed changes because they would narrow the scope of application of the academic freedoms currently in statute. The Chair understood the intention of the changes in terminology to be merely clarificatory, but noted that the changes would result in changes of substance AF very likely would not support. The fact that the most recent revision to Article, Section 5 offered an expanded scope of protection to academic staff was explicitly discussed in the Senate deliberations that led to use of the term "academic staff" in the current Section 5, and this fact was a consideration that many senators believed spoke in favor of that language, which was subsequently approved by the Board.

Rules, procedures, and summary description of Article X hearing:

AF held a hearing to review the University's charges that "with all due regard for the freedoms and protections provided for in Article X, Section 2, of these *Statutes*, a faculty member's performance of university duties and functions or extramural conduct is found to demonstrate clearly and convincingly that the faculty member can no longer be relied upon to perform those duties and functions within the University of Illinois System in a manner consonant with professional standards of competence and

responsibility” (Article X.1.d). AF made rules for this hearing; adopted procedures and standards; and made findings described to the extent possible in a separate redacted report.

ACADEMIC FREEDOM AND TENURE

David Forsyth, Chair

Maria Chu

Yiran Gao

Jack Goncalo

Steven Krauklis

William Maher

Kevin McSweeney

Ann Reisner

Charles Roseman

Khalil Royster

Stephanie Sanders-Smith