

Committee on Academic Freedom and Tenure

Recommendations on ST-83, Proposed Revisions

to the Statutes

17 April 2025

University Senates Conference (USC) requested that several University committees, including the Committee on Academic Freedom and Tenure (CAFT), comment on, and suggest alternate language for, the Proposed Revision to the *Statutes* (ST-83) of August 2024. CAFT met on 24 March 2025 to deliberate on suggested revisions and to develop rationales for these suggestions. In what follows, CAFT reports its recommendations for revisions to Articles IX and X and provides justification for these suggestions.

CAFT Recommends

1. The revisions to Article IX and X proposed in ST-83 be rejected *in toto*.
2. The current (July 2023) *Statutes* Articles IX and X be preserved unchanged.

Justification

Here, CAFT provides justification for its recommendations.

Justification for Recommendation 1: The revisions to Article IX and X proposed in ST-83 be rejected *in toto*

Three proposed changes to Article X of the *Statutes* offered in ST-83 are particularly unacceptable and call for rebuttal.

- A) *Removal of academic freedom protections from large swaths of the academic staff.* (ST-83 Article X § 6a, lines 2210 to 2211). The rationale for this change was given during the UIUC Senate meeting of 22

December 2022 by Senator Nick Burbules, the crafter of the change.¹ He maintained the change was necessary to make Article X § 6a consistent with the remainder of the proposed revisions, which removed “academic staff” as a category and replaced it with a proliferation of other terms. That rationale did not include a reflection on the narrowing of the coverage of academic freedom protections, which would make the University of Illinois’ academic freedom protections much weaker than peer institutions, including the University of Texas and the University of Florida.²

This narrowing of the coverage of academic freedom is wholly unacceptable. It would leave a substantial proportion of the Academic Staff at the University of Illinois vulnerable to arbitrary penalties even in cases in which they hew to an approved syllabus and professional standards with perfect fidelity. The Graduate Employee Organization indicated that such a revocation of academic freedom protections from graduate members of the Academic Staff would be cause for renegotiation of the graduate employee union contract. A deeper exploration of the potential consequences of the narrowing of the coverage of academic freedom may be found in the [CAFT report on ST-83](#) from the Fall 2024 semester.

CAFT also notes that the version of ST-83 proposing a narrowing of the coverage of academic freedom protections was rejected by two Senates in the Spring semester of 2024.

- B) *Narrowing of the scope of academic freedom protections to cover only an individual’s “scholarly expertise” as opposed to their “scholarly interest.”* (ST-83 Article X § 6a, line 2213). The rationale for this change was provided to CAFT in the form of a forwarded email (transmitted with this recommendation) containing the recollection of Senator Nick Burbules, who was Chair of USC’s Statutes and Governance Committee in the 2024-2025 academic year and responsible for making the change. The justification for the change was that “interest” was “ambiguous” and that “expertise” was the recommended standard of the American Association of University Professors (AAUP) and supported by several scholars of academic freedom.

In the case of the AAUP recommendations, it is clear that the justification given for the change is a gross misrepresentation of the AAUP position. Professor Robin Kar, President of the University of Illinois, Urbana-Champaign chapter of the AAUP, said as much in his comments to the Senate on 11 November 2024 when he cautioned that the University risked censure by the AAUP if it adopted the expertise standard. Moreover, CAFT’s thorough review of AAUP publications on academic freedom since 1915 led the committee to conclude that the expertise-based standard proposed in ST-83 was contrary to AAUP recommendations. The commented notes from CAFT’s discussion on the AAUP standards accompanies this set of recommendations.

The CAFT report of 28 October 2024 details the many deleterious effects that passage of the proposed change of “interest” to “expertise” would have on the University.

CAFT is also alarmed that the change from “interest” to “expertise” in ST-83 was implemented only after the various Senates had reviewed (and two had rejected) the proposed changes to the *Statutes* suggested in ST-83, but the new language was not shared with the Senates before the USC voted in

¹A recording of the meeting may be found at https://mediaspace.illinois.edu/media/t/1_vybwrh09/37514231

² See the appendix to CAFT report of 28 October 2024 transmitted with this document.

August to send the revised ST-83 to the President . This indicates an alarming departure from proper procedure, standards of deliberation, and seeking the consent and approval of the appropriate bodies in a system of shared governance.

- C) *Removal the authority of the Committees on Academic Freedom and Tenure to establish rules of procedure for hearing academic freedom complaints.* (ST-83 Article X § 6b, lines 2233 to 2234). No rationale was given for this change to the language. Removal of the authority of a CAFT to set procedures for hearings on academic freedom complaints would compromise its independence, thus undermining protections for academic freedom. This provision has been in place since May 1964 and has served CAFT, the faculty, and the University well when establishing rules for conducting hearings. Even the slightest appearance of undue outside influence on a CAFT hearing must be avoided to preserve the integrity of the review of academic freedom complaints.

Justification for Recommendation 2: The current (July 2023) Statutes Articles IX and X be preserved unchanged.

With no substantive reasoning provided for changes suggested in either the 2021 or 2024 versions of ST-83, it is inappropriate to ask CAFT or the Senate to suggest responsive alternative wording accompanied by a justification for the alternative wording. CAFT is being asked to hypothesize a logic for changing these important elements without adequate documentation of the rationale for the changes in the first place. Moreover, we are being asked to deliberate on significant changes to a critical portion of the *Statutes* without any coordination with the academic freedom shared governance bodies of the other two Universities, each of which may face a different array of academic freedom policy and practice issues that we face.

Therefore, committing to have USC do further text-based work on the provisions to “promote agreement” among the senates is no longer a credible option, especially with respect to the academic freedom provisions in Article X.

Conclusion

Going forward, if there are any identifiable concerns about the existing text of Articles IX and X of the now-in-force *Statutes* (July 2023), they should be communicated to the three University’s CAFTs to begin deliberation individually and collaboratively to then forward to their respective senates for deliberation before proposed revisions are routed to USC. Issues of such importance should not be shoe-horned into an omnibus *Statutes* revision.

Most importantly, the Urbana-Champaign Senate should not do anything to normalize the dubious manner in which ST-83 was altered and transmitted to the Office of the President without the proper consent of the Senates.