

TO: Shawn Gilmore, Chair  
Senate Committee on University Statutes and Senate Procedures (SP)

FROM: David Forsyth, Chair  
Senate Committee on Academic Freedom and Tenure (AF)

DATE: February 17, 2026

SUBJECT: AF.26.02, Proposed Revision to the *Statutes*, Article II, Sections 3a(1) and 3a(2) – Faculty Role in Governance (ST-91)

Thank you for your November 18, 2025 email requesting comments on the Proposed Revision to the *Statutes*, Article II, Sections 3a(1) and 3a(2) – Faculty Role in Governance (ST-91). The Senate Committee on Academic Freedom and Tenure (AF) makes the following remarks.

The modified version of II3a(1) explicitly defines faculty to include:

members of the academic staff with the rank or 46 title in that unit of professor, associate professor, assistant professor modified by “teaching,” 47 “research,” “clinical,” or instructor or lecturer with or without a “senior” modifier

This does not affect X2a protections which extend to “academic staff” — clearly a broader category than “faculty”. AF believes the main effect of this as to academic freedom is that the persons who are now “faculty” by definition are covered by IX6, which describes severe sanctions short of dismissal. IX6 limits causes for such sanctions to a specified list and prescribes a procedure. In particular, AF interprets IX6e to mean that no sanction as severe as “suspension with or without salary (full or partial) for a period not to exceed one-half of the individual’s normal appointment period ... health and retirement benefits shall be maintained” can be applied to any person who is “faculty” without following the procedure in IX6. Further, AF interprets IX6e to mean that no more severe sanction is available other than dismissal.

IX12 covers dismissal of academic staff with multi-year appointments and sharply limits the available causes for dismissal. A difficulty would arise if dismissal was available for an activity that could not give rise to severe sanctions short of dismissal. AF does not believe this difficulty is present.