

Get Your Laws Off Our Syllabi!

Using Shared Governance to Fight Back

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Presenters

Dr. Valerie Johnson is Associate Professor of Political Science, a Presidential Diversity Fellow, and Endowed Professor of Urban Diplomacy at the Grace School of Applied Diplomacy at DePaul University in Chicago. Dr. Johnson's teaching and research are focused on race and socioeconomic inequality.

Her publications include *Black Power in the Suburbs: The Myth or Reality of African American Suburban Political Incorporation* and *Power in the City*. Her current book project is titled *At the Water's Edge: The Unfinished Business of African American Equality*. She has also recently co-authored a study on the influence of DEI initiatives on the experiences of academic women of color at predominantly white institutions

Jennifer Ruth serves with Dr. Johnson on the higher education committee for the African American Policy Forum. She is a professor of film studies at Portland State University, is a member of the AAUP's Committee A on Academic Freedom and Tenure, and a contributing editor to the Academe blog.

She is the author of three books. The most recent, co-authored with Michael Bérubé, is *It's Not Free Speech: Race, Democracy, and the Future of Academic Freedom*. It will be released by John Hopkins University Press in April.

Background Information

[Template](#) was developed during the summer of 2021 by the AAPF higher ed group (Jennifer, Val, Emily Houh). Announced at the National Teach In on October 14, 2021. Find it and other documents [here](#).

Institutions that have passed the resolution to date: DePaul, Jackson State, Michigan State, Ohio State, Portland State, Washington College, Santa Fe College, Molloy College, Penn State, Virginia Commonwealth and the universities of Alabama, Colorado, Delaware, Massachusetts (Lowell), Minnesota, Oregon, Texas, and Wisconsin.

Associations: [American Studies Association](#) Chapters: Ball State-AAUP, Purdue-AAUP

National press to date: [“A Template for Academic Freedom,”](#) *Inside Higher Ed*, December 15, 2021; [“UT Austin Council Approves Academic Freedom Statement on CRT,”](#) *Inside Higher Ed*, Feb. 15, 2022

[Pen report](#) on the laws and pending bills impacting higher education. (Feb. 1)

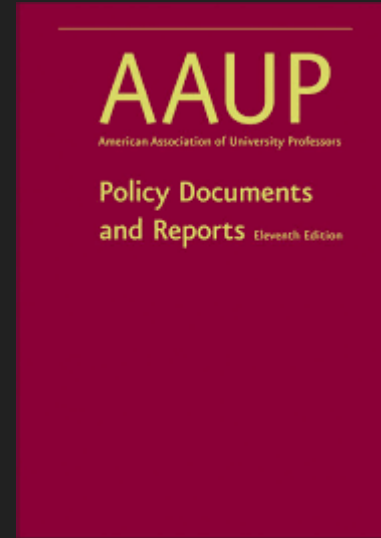
Why use Shared Governance?

Shared governance, according to the American Association of University Professors (AAUP) *Statement on Government of Colleges and Universities*, refers to the responsibility shared among the different components of the institution -- governing boards, administrations, and faculties -- for its governance, and the specific areas of primary responsibility of each component.



What are the primary responsibilities of the faculty?

The role of the faculty is to have primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life related to the educational process. The responsibility for faculty status includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal.



Why should the faculty voice be authoritative in the academic area?

- “Faculty are distinctly qualified to exercise decision-making authority in their areas of expertise.”
- The faculty’s “judgment is central to general educational policy.”
- Scholars in a particular field or activity have the “chief competence for judging the work of their colleagues.”

FACULTY AS A WHOLE EXERCISE SHARED GOVERNANCE AT FACULTY SENATES/COUNCILS

UT-Austin Faculty Senate this
Monday: “It’s critical race theory today,
it’ll be climate research or
evolution tomorrow.”

Benefits of using shared governance to fight
these laws and bills: we make people aware
of this assault and we create a unified
faculty voice denouncing them. This impacts
the legislatures’ calculations, puts
administrators on notice, and helps develop
a community which will support our peers
who find themselves targeted. They also
become documents that may well play
critical roles in the courts.



Dan Patrick ✓ @DanPatrick · Feb 15

...

I will not stand by and let looney Marxist UT professors poison the minds of young students with Critical Race Theory. We banned it in publicly funded K-12 and we will ban it in publicly funded higher ed. That’s why we created the Liberty Institute at UT.



statesman.com

UT Faculty Council passes resolution supporting freedom to teach crit...

The resolution states that educators, not politicians, should make decisions about teaching and learning.

“Academic freedom” is the freedom to ...

- Teach, research, investigate, and discuss issues in our respective academic fields and disciplines
- Teach and publish *without interference* from political bodies and figures, governing boards, donors, or other entities
- Speak freely when participating in institutional and shared governance - and to speak freely as a citizen

Teaching

Freedom to discuss all relevant matters in your classroom

Research

Freedom to explore “all avenues” of your research, scholarship, and creative expression -- and to publish the results of your work



Intramural speech

Freedom from being censored by your institution when speaking or writing as a participant in the governance of the institution

Extramural speech

Freedom for institutional censorship or discipline when speaking or writing as a citizen (e.g., Twitter, FB, etc.)

Free Speech

- “Equal status in the field of ideas” - all expressions are (supposedly) given equal protection under the law - “viewpoint neutrality.”
- Speech need not manifest any sense of “competence” - so long as it does not incite violence or does not fall into other categories of constitutionally “unprotected” speech.
- Free speech rights are focused on the individual person (where “person” now includes corporations).

Academic Freedom

- *Inequality* of status between ideas, based on disciplinary standards and peer review → to progress knowledge for the common good.
- Speech manifesting “disciplinary incompetence” is *not* protected.
- Academic freedom rights are regulated by the “collective” -- peers within your discipline determine what constitutes “disciplinary competence.”

Source: [AAUP “FAQs on Academic Freedom”](#)

WHO IS BETTER QUALIFIED TO WRITE OUR
CURRICULUM? EXPERTS IN THEIR FIELDS OR
PARTISAN POLITICIANS?

Five Steps to Passing the Resolution

1) Find the resolution template here: <https://www.aapf.org/truthbetold-call-to-action>

Breakout: Get Your Laws Off x TRUTH BE TOLD Call to Action x

aapf.org/truthbetold-call-to-action

14th. We also invite educators to take the [pledge to teach the truth](#). And show your support for our October 14th Call to Action by completing our [endorser form](#).

Our Teach-In will begin with an opening message from Professor Kimberlé Crenshaw followed by a panel with Professors Emily Houh, Valerie Johnson, and Jennifer Ruth. Breakout sessions include *The Disinformation Grift about Academic Freedom*; *Using Shared Governance to Keep Laws Out of Your Syllabus*; *Doing Campus DEI from a CRT Lens*; and *Know Your Rights to Teach Truth*. To preselect your breakout sessions, register by October 12, 2021.

resolution template, and consider adopting similar language at your own university. To sign the Open Letter, please use this [form](#).

A DAY OF ACTION TOOLKIT >

REGISTER FOR THE NATIONAL TEACH-IN >

NATIONAL CRITICAL RACE THEORY TEACH IN >

RESOLUTION TEMPLATE FOR UNIVERSITY SENATE MEETINGS >

OPEN LETTER TO DEFEND ACADEMIC FREEDOM >

SHARE YOUR CAMPUS SENATE RESOLUTION STATUS >

SENATE RESOLUTION TEMPLATE EXAMPLES >

There's no time to waste. If you act, we'll be able to not only push back against the attacks on CRT and the teaching of truth, but also to lift up the campaigns we are already organizing around and winning.

Messaging and the Media

Do you need some general tips to prepare for speaking with the media or do you want to better understand the context

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2. Determine your institution's process to propose a motion and establish the timeline.


The screenshot shows a web browser window with the URL chabotcollege.edu/governance/academic-senate/senate-resolution-process.php. The page features a navigation menu with links for About, Become a Student, Admissions & Aid, Academics, Students, Athletics, and Faculty & Staff. A yellow banner at the top contains a warning icon and the text "COVID-19 Updates: More on-campus and hybrid classes offered", along with buttons for "For Students", "Online Counseling", and "For Employees". The main content area has a breadcrumb trail: Home / Governance / Academic Faculty Senate / Senate Resolution Process. The title "Academic Senate Resolution Process" is prominently displayed. Below the title, the text "as of 8/31/06" is shown. The page is divided into two columns. The left column is a sidebar titled "Faculty Senate" with a list of links: Home, Agenda & Minutes, Recommendations, Core Academic Values, Faculty Handbooks, Faculty Resources, Parliamentary Procedure, Resolution Process, Senate Constitution, Senate Definition, Senate Ethics, Senate Powers, Senator Responsibilities, and Traits of Effective Senates. The right column contains the main text, which begins with "As a voting delegate you may write, propose, second and vote on resolutions presented at meetings of the Academic/Faculty Senate. If after collegial consultation with the appropriate governance bodies, administrators, and individuals, agreement or action is not taken, then a formal resolution may be made through the Senate. The following is a description of the resolution process." This is followed by a section titled "I. Resolution Writing:" with sub-sections A through E, each containing specific instructions and numbered lists of criteria.

Academic Senate Resolution P x +

chabotcollege.edu/governance/academic-senate/senate-resolution-process.php

Reload this page

About ▾ Become a Student Admissions & Aid ▾ Academics ▾ Students ▾ Athletics Faculty & Staff ▾

 COVID-19 Updates: More on-campus and hybrid classes offered For Students Online Counseling For Employees

Home / Governance / Academic Faculty Senate / Senate Resolution Process

Academic Senate Resolution Process

as of 8/31/06

As a voting delegate you may write, propose, second and vote on resolutions presented at meetings of the Academic/Faculty Senate. If after collegial consultation with the appropriate governance bodies, administrators, and individuals, agreement or action is not taken, then a formal resolution may be made through the Senate. The following is a description of the resolution process.

I. Resolution Writing:

A. All new resolutions must be submitted to the Senate President at least 7 days prior to a Senate meeting.

B. New resolutions submitted less than 6 days prior to a Senate meeting will be held to the next senate session, unless the resolution is of an urgent nature.

1. The Executive Committee reviews all submitted resolutions and amendments and combines, rewords, appends or renders moot the resolutions and amendments as necessary.
2. The Executive Committee meets after the resolution deadline to determine whether those submitted as urgent should be presented for voting at the next meeting.

C. All resolutions must be properly constructed with the following criteria:

1. Must be proposed by an Academic/Faculty Senator.
2. Must be typed to ensure legibility.
3. Must be limited to four "whereas" sections and four "resolved" sections.

D. Assistance in properly constructing resolutions is available on the State Academic Senate Website (<http://www.academicssenate.cc.ca.us/LocalSenates/Hb.htm>).

E. The Executive Committee will edit resolutions so that they conform to the following:

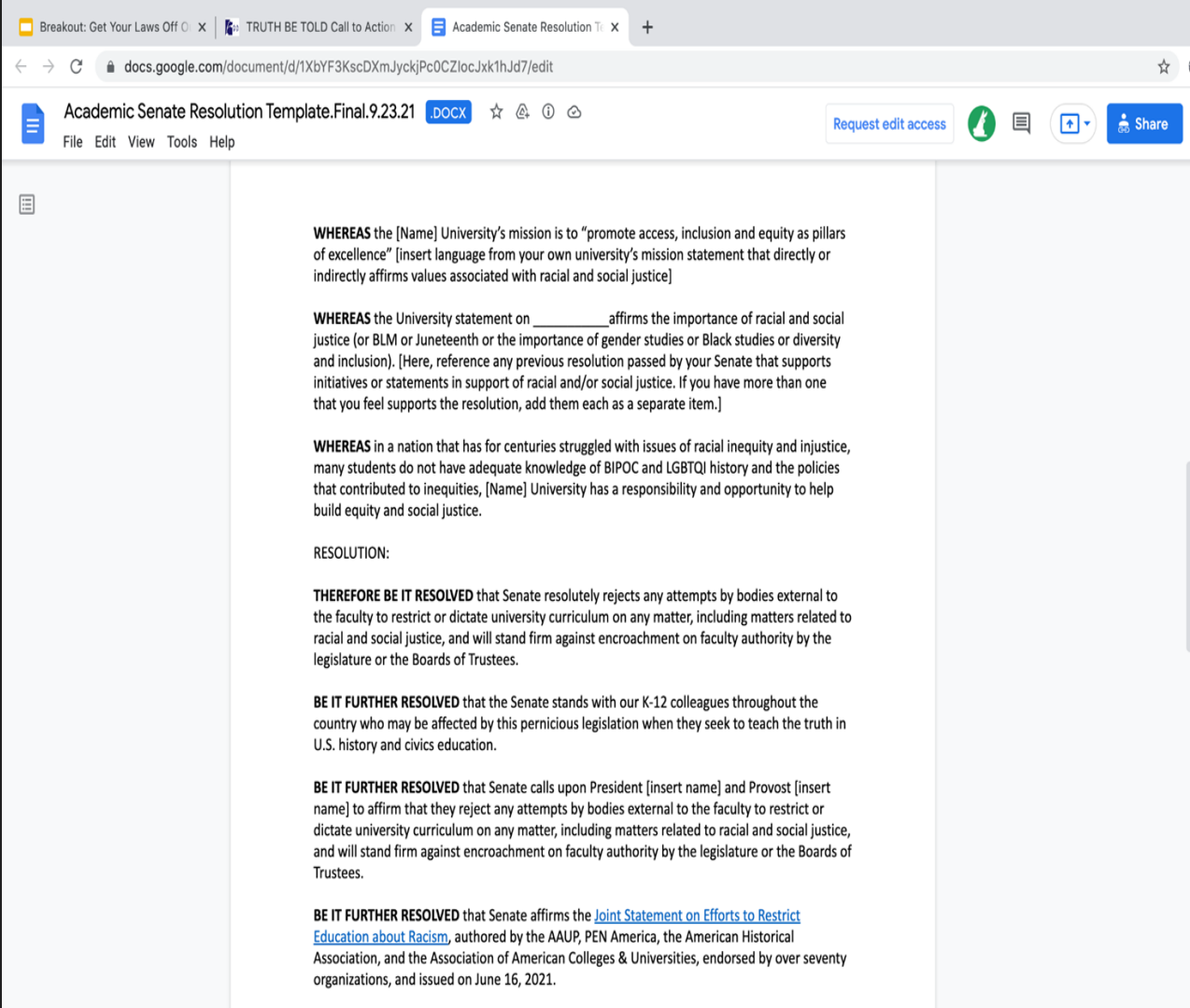
1. The Senate recommends or directs its Senate President to do something. If the activity requires substantial resources in time or funds, the Executive Committee will be able to carry it out only if the resources are available.
2. The Senate may only urge or recommend a policy or action to local governing bodies, the Chancellor

3. Find sponsors/co-sponsors.

- Scan the list of Senators and make contact with those you think would be interested/sympathetic.
- If you have a faculty union (especially if it is an AAUP chapter), recruit their support.
- Reach out to departments that would be most impacted (English, Black Studies, History, Women and Gender Studies, Education schools/programs).

4. Adapt the template to your institution.

In many instances, there are already institutional commitments in place.



The screenshot shows a Google Docs interface for a document titled "Academic Senate Resolution Template.Final.9.23.21". The document content is as follows:

WHEREAS the [Name] University's mission is to "promote access, inclusion and equity as pillars of excellence" [insert language from your own university's mission statement that directly or indirectly affirms values associated with racial and social justice]

WHEREAS the University statement on _____ affirms the importance of racial and social justice (or BLM or Juneteenth or the importance of gender studies or Black studies or diversity and inclusion). [Here, reference any previous resolution passed by your Senate that supports initiatives or statements in support of racial and/or social justice. If you have more than one that you feel supports the resolution, add them each as a separate item.]

WHEREAS in a nation that has for centuries struggled with issues of racial inequity and injustice, many students do not have adequate knowledge of BIPOC and LGBTQI history and the policies that contributed to inequities, [Name] University has a responsibility and opportunity to help build equity and social justice.

RESOLUTION:

THEREFORE BE IT RESOLVED that Senate resolutely rejects any attempts by bodies external to the faculty to restrict or dictate university curriculum on any matter, including matters related to racial and social justice, and will stand firm against encroachment on faculty authority by the legislature or the Boards of Trustees.

BE IT FURTHER RESOLVED that the Senate stands with our K-12 colleagues throughout the country who may be affected by this pernicious legislation when they seek to teach the truth in U.S. history and civics education.

BE IT FURTHER RESOLVED that Senate calls upon President [insert name] and Provost [insert name] to affirm that they reject any attempts by bodies external to the faculty to restrict or dictate university curriculum on any matter, including matters related to racial and social justice, and will stand firm against encroachment on faculty authority by the legislature or the Boards of Trustees.

BE IT FURTHER RESOLVED that Senate affirms the [Joint Statement on Efforts to Restrict Education about Racism](#), authored by the AAUP, PEN America, the American Historical Association, and the Association of American Colleges & Universities, endorsed by over seventy organizations, and issued on June 16, 2021.

DePaul Resolution to Defend Academic Freedom to Teach About Race & Gender Justice and Critical Race Theory

Type: Actionable item

Date: September 21, 2021

Passed: unanimously

RATIONALE:

WHEREAS state legislative proposals are being introduced and enacted across the United States that target academic discussions of racism, sexism, and related issues in American history in schools, colleges, and universities.

WHEREAS these legislative proposals vary but all seek to prohibit or restrict what they often call “divisive concepts” in the teaching and education of students.

WHEREAS the term “divisive” is indeterminate, subjective, and chills the capacity of educators to explore a wide variety of topics based on subjective criteria that are not applicable to the goals of education and the development of essential critical thinking [skills](#);

WHEREAS educating about systemized barriers to realizing a multiracial democracy based on race or gender should be understood as central to the active and engaged pursuit of knowledge in the 21st century to produce engaged and informed [citizens](#);

WHEREAS DePaul has a stated commitment to diversity, equity, and inclusion (DEI) and to mitigating inequities related to diverse populations.

WHEREAS [DePaul University's newly revised mission statement](#) affirms that “DePaul compassionately upholds the dignity of all members of its diverse, multi-faith, and inclusive community” and is committed to “promoting peaceful, just, and equitable solutions to social [...] changes.”

WHEREAS [the Message of Solidarity from DePaul University Officers](#) acknowledges that “Racism is woven into the fabric of this country. It is the legacy of slavery, colonization, and the taking by force of lands and peoples to create power and privilege for some while marginalizing many. Despite the efforts of many, the principal objectives of the past decades to combat racism and racial discrimination have not been attained and to the present day, countless human beings continue to be victims of racism, racial discrimination and related intolerance.”

WHEREAS in light of the ongoing reality of violence and discrimination committed against the BIPOC community, DePaul University has committed itself to a sincere reconsideration of policies and practices at DePaul that perpetuate racist patterns.

WHEREAS The American Association of University Professors and DePaul’s AAUP chapter affirms the importance of academic freedom to the proper functioning of universities, citing the American Association of University Professors’ [1940 statement of Principles on Academic Freedom and Tenure](#).

WHEREAS Section 1.2.1 of the Faculty Council Handbook states that “the faculty is vested with primary governance responsibility of academic and scholarly activities... including

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Styles Pane Create and Share Adobe PDF Request Signatures

Portland State University Faculty Senate Resolution
Defending Academic Freedom to Teach and Research Race and Gender Justice and Critical Race
Theory
Submitted to Senate Steering 10/11/2021

Background

“McCarthyism has returned.” These are the recent words of Ellen Schrecker, author of *No Ivory Tower: McCarthyism and the Universities*. In the summer of 2021, Republican politicians began proposing legislation against “divisive concepts” and critical race theory. Bills have passed in twelve states and are pending in others. (The African American Policy Forum tracks the legislation [here](#).) The attempt to use the state to restrict teaching and research about race and racism is, in fact, “worse than McCarthyism,” Schrecker wrote, because “the red scare of the 1950s marginalized dissent and chilled the nation’s campuses, but it did not interfere with such matters as curriculum or classroom teaching.” Academics failed to come together to mount a strong defense of academic freedom in the 1950s. We can do better today.

Whether these bills are currently being proposed in Oregon or not, we believe that Faculty Senates everywhere must speak up against them and in defense of academic freedom. We join with our colleagues across the country in resolving the following:

Whereas

State legislative proposals are being introduced across the United States that target academic discussions of racism and related issues in American history in schools, colleges and universities;

Whereas

5. GET IT ON THE AGENDA FOR DISCUSSION AND THEN BRING IT TO A VOTE!



TWO SENATE MEETINGS:

- 1) Discussion
- 2) Vote

Identify Supporters

- 1) College or department members who will lobby their representatives
- 2) DEI professionals
- 3) Students, including college newspaper reporters
- 4) Administrators who will support

LET US KNOW WHAT YOU ARE DOING AND HOW
WE CAN HELP!

Write to us

(ruthj@pdx.edu) or (valerie.c.johnson@depaul.edu)

Fill out this form: [ACADEMIC FREEDOM AND CRT
RESOLUTION](#)

We want to maintain a list of all the places that pass this or a similar resolution to share with the media.