

UNT Dallas Faculty Senate Resolution on Academic Freedom and Tenure
Submitted by Walt Borges February 2022
Approved March 4, 2022

WHEREAS the University of North Texas at Dallas is a public university enrolling 4,186 students, of which 84 percent are identified by US Census classifications as non-white minority students;

WHEREAS public universities in Texas with predominantly minority enrollments serve a critical population of historically underserved minorities and lower socioeconomic strata, and contribute to social mobility in the state;

WHEREAS traditional concepts of academic freedom include the freedom of faculty to research topics and construct documented narratives of history, sociology and politics that may not comport with the preferences of powerful individuals, interests, parties or institutions. Faculty instead promote and air multiple perspectives on a topic in order to fully educate students and citizens;

WHEREAS the University of North Texas System Board of Regents' Rule 0.6041 states that "institutions of higher education exist for the common good which depends upon the free search for truth and its free expression. Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the faculty member in teaching and of the student to freedom in learning. Academic freedom carries with it duties correlative with rights."

WHEREAS the common good is "...not to further the interest of either the individual teacher or the institution as a whole," neither are institutions of higher learning conducted for the promotion of economic or partisan interest, or the interests of individuals holding state office. Faculty freedom from the interference by such interests and individuals in the "free search for truth and its free exposition..." is the core meaning of academic freedom at a teaching institution such as the University of North Texas at Dallas. (The quoted passages are from the AAUP *Statement of Principles on Academic Freedom and Tenure* [1940], which has been endorsed by more than 250 national scholarly and educational associations);

WHEREAS critical race theory is a 40-year-old legal theory widely misunderstood by the public, legislators and politicians as any construct that analyzes the outcomes of historical policy choices in terms of race. Educating students regarding systemic barriers to the creation of a multiracial democracy based on race or gender should be understood as central to produce engaged and informed citizens;

WHEREAS racial discrimination is endemic to the family and societal historical experiences of many of our UNT Dallas students, faculty and staff, particularly those of minority heritage;

WHEREAS the accreditation of the UNT Dallas academic program by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) will be endangered by

interference with academic freedom, as SACSCOC assigns the oversight and coordination of educational programs and curriculum to faculty, including whether “appropriate content” is presented (SACSCOC Resource Manual 6.2.c 2018);

WHEREAS Lt. Gov. Dan Patrick has threatened economic penalties for public universities, colleges and faculty who teach what he arbitrarily characterizes as critical race theory, including the prohibition of hiring of new tenure-track faculty and the revocation of tenure for faculty already given such;

WHEREAS tenure is a simple guarantee of due process when faculty are threatened with dismissal or other penalties based on the content of their research, publications and teaching;

WHEREAS the reduction or elimination of tenure opportunities at the University of North Texas at Dallas will make it harder to recruit and retain top-rate, independent faculty to teach our students, denigrating the educational experience UNT Dallas can provide its students;

WHEREAS the elimination of tenure opportunities or revocation of granted tenure at public universities in Texas on the basis of faculty teaching will make it harder for all Texas public universities to recruit and retain independent faculty, destroying the state’s system of higher education and decreasing the academic reputation of the state university system;

THEREFORE, LET IT BE RESOLVED:

- that the UNT Dallas Faculty Senate supports traditional concepts of academic freedom, including the freedom of instructors to teach about historical, sociological, and political barriers that have played roles in the creation of our multiracial society;
- that the UNT Dallas Faculty Senate rejects the proposed language addition to the education code that teaching critical race theory is prima facie evidence of good cause for the revocation of tenure;
- that the UNT Dallas Faculty Senate endorses concepts of academic freedom that endow instructors with the freedom to evaluate historic, political and social concepts of race in society and to teach perspectives that are unpopular with partisan leaders of the state. Educational content should not be restricted by political parties;
- that the UNT Dallas Faculty Senate supports the efforts of faculty organizations at publicly-funded universities in Texas to assert the academic freedom to teach about race in historical, sociological and political settings, without consideration of the partisan preferences of the legislature. The Faculty Senate also supports faculty organizations that defend the validity of tenure in the face of threats by state officials who are attempting to disempower university faculty by eliminating traditional due process and free speech rights of faculty that are embodied in tenure;

- that the UNT Dallas Faculty Senate endorses the traditional concepts of tenure as a protective institution for faculty communicating multiple perspectives and unpopular ideas through their teaching;
- that the UNT Dallas Faculty Senate endorses the possibility of tenure for new hires at the university, and for the conversion of term employees to tenure track positions with due process protections for freedom to speak and teach;
- that the UNT Faculty Senate condemns the attempts by executive official and legislators to use tenure, and particularly the revocation of tenure, as rhetorical, political and economic leverage to influence and limit faculty freedom to teach multiple perspectives and unpopular views;
- that the UNT Dallas Faculty Senate condemns efforts by state executive officers, legislators and others outside the university faculty to limit the free speech rights of American citizens and residents by virtue of their employment status at a Texas university; and
- that the UNT Dallas Faculty Senate should seek to work through organizations such as the Texas Council of Faculty Senates and the American Association of University Professors to present a common defense to the threats of state executive officials and legislators, and to educate state executive officeholders and legislators about the traditions of academic freedom and tenure in American academia.

Submitted: February 21, 2022

Order of Business: March 4, 2022

Considered: March 4, 2022

Proposed: Walt Borges, Faculty Senate Vice president and President-elect

Seconded: Gretchen Hackard, Faculty Senator for School of Law

Mode of approval: Recorded vote via WebEx

For: 8

Against: 3

Signatures: *Jennifer Baggerly, Ph.D., LPC-S, RPT-S*
Jennifer Baggerly, Faculty Senate President