

UNH FACULTY SENATE
MOTION # XXVI-M22

Resolution on Legislative Challenges to Academic and Professional Integrity

May 9, 2022

1. **Motion presenter:** Chair Kevin Healey on behalf of the Agenda Committee
2. **Dates of Faculty Senate discussion:** 5/2/2022 and 5/9/2022
3. **Rationale:** Nationally, a number of legislative efforts to erode academic freedom have been introduced in order to regulate the teaching of race and discrimination. Such regulation would undermine the state of New Hampshire's stated commitment to "combat discrimination and advance diversity and inclusion," as articulated by the Governor's Advisory Council on Diversity and Inclusion.ⁱ In the months prior to this Senate action, faculty at UNH and other institutions have contacted Senate leadership, urging the Agenda Committee to draft a resolution in opposition to such legislative efforts.
4. **Motion: WHEREAS** public universities have, since the founding of the Republic, flourished on the premise that "wherever the people are well informed they can be trusted with their own government."ⁱⁱ;

WHEREAS the ability of public universities to cultivate an informed citizenry depends on the free exercise of our individual and collective capacities for critical thinking and spirited debate, especially with others who may hold unfamiliar or challenging ideasⁱⁱⁱ;

WHEREAS when crafting the University System's enabling law, the General Court recognized: "the need to protect the institutions of the university system from inappropriate external influence which might threaten the academic freedom of faculty members or otherwise inhibit the pursuit of academic excellence" and therefore "delegated broad authority to the board of trustees who shall be responsible for managing the university system in a manner which promotes academic excellence and serves the educational needs of the people of New Hampshire;"

WHEREAS faculty at the University of New Hampshire have expertise in their respective fields, as well as an enduring commitment to the highest ethical and professional standards for the conduct of research, teaching, and service, as evidenced by the university's recognition by the Carnegie Classification of Institutions of Higher Education as a top-tier R1 institution^{iv} and its platinum rating from the Association for the Advancement of Sustainability in Higher Education (AASHE)^v;

WHEREAS faculty are uniquely responsible for the development, review, and delivery of curricula at the University of New Hampshire, in accordance with basic principles of shared governance and the General Court's broad grant of authority to the University System;

WHEREAS it is critical that the dissemination of knowledge and the pursuit of research be insulated from vagaries of shifting popular opinion and electoral success as not doing so will

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erode public trust in the integrity of academic professionals and the institution of higher education itself;

WHEREAS nationally, a number of legislative efforts to erode academic freedom at all levels of education have been introduced in order to specifically regulate the teaching of race and discrimination;

WHEREAS such regulation which would undermine New Hampshire's efforts to "combat discrimination and advance diversity and inclusion" and have also been called unconstitutional by nonpartisan organizations like the Foundation for Individual Rights in Education (<https://www.thefire.org/new-wave-of-bills-on-race-and-sex-stereotyping-violate-academic-freedom/>);

WHEREAS faculty of UNH have played an important role in jurisprudence around academic freedom, as exemplified by *Sweezy v. New Hampshire*, 354 U.S. 234 (1957);

THEREFORE BE IT RESOLVED that UNH Faculty Senate stands in steadfast support of the well-established principles and responsibilities of Academic Freedom, as these apply to all teaching, research, and professional activities, as detailed in the AAUP's "1940 Statement of Principles on Academic Freedom and Tenure" and 2007 "Freedom in the Classroom Report;"

BE IT FURTHER RESOLVED that UNH Faculty Senate unequivocally rejects any attempts by bodies external to the faculty to restrict, dictate, or otherwise interfere with university curriculum, regardless of subject area or discipline.

BE IT FURTHER RESOLVED that UNH Faculty Senate calls upon President James Dean and Provost Wayne Jones to affirm that they likewise stand in opposition to efforts which may hamper the ability of UNH faculty to conduct their research, teaching, and professional activities with integrity, free from political interference.

5. Senate action: The motion passed Senate with 55 in favor, 0 in opposition and 0 abstentions

6. Senate chair's signature:

A handwritten signature in black ink that reads "Kevin Foley". The signature is written in a cursive style with a long, sweeping underline.

Forwarded to the following on May 11, 2022:

President James Dean

Wayne Jones, Provost

Kate Ziemer, Senior Vice Provost for Academic Affairs

All deans and associate deans

All department chairs

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ⁱ <https://www.governor.nh.gov/diversity>

ⁱⁱ “From Thomas Jefferson to Richard Price, 8 January 1789,” *Founders Online*, National Archives, <https://founders.archives.gov/documents/Jefferson/01-14-02-0196>. [Original source: *The Papers of Thomas Jefferson*, vol. 14, 8 October 1788–26 March 1789, ed. Julian P. Boyd. Princeton: Princeton University Press, 1958, pp. 420–424.]

ⁱⁱⁱ The principle of “academic freedom” alluded to here has been articulated by conservative and progressive faculty alike, in ongoing debates whose contentiousness only serves to underscore the common thread of a sustained rejection of undue interference in curricular matters.

^{iv} “UNH Reaches Top Tier of Carnegie Classification for Research Universities.” January 14, 2019. UNH website. Source: <https://www.unh.edu/unhtoday/news/release/2019/01/14/unh-reaches-top-tier-carnegie-classification-research-universities>

^v The AASHE’s platinum rating is based in part on the work of student- and faculty-led initiatives that place sustainability in dialogue with issues of racial equity, including the Civil Discourse Lab, the Black New England Conference, and the series titled Confronting the Racial Wealth Gap. Source: <https://reports.aashe.org/institutions/university-of-new-hampshire-nh/report/2021-08-16/EN/campus-engagement/EN-3/>