

**Minutes of the Meeting
of the Faculty Delegate Assembly
President's Conference Room, 17th Floor, Hunter East
Wednesday, April 25, 2007**

FDA President Prof. Jason Young called the meeting to order at 1:40.

Three members of Hunter's Academic Freedom Committee were present: Dean Clay-Scott of Arts and Science, Prof. Alcabes of Urban Public Health, and Prof. Sakas of Computer Science. They talked about the work that the committee has done and what they have learned about the laws governing academic freedom.

The members of the committee made the following points.

- * Some endowed chairs have come with strings, where, for instance, the endower has attempted to pressure the college or university into accepting the endower's preferred candidate. Some schools have given in; others haven't.
- * At a recent academic freedom conference at Harvard there was almost no discussion of the relationship between academic freedom and tenure.
- * Northwestern University has an engineering professor who is also a Holocaust denier. The question is, Should he be able to post his controversial views on the web? Would doing so create an atmosphere of intolerance in his classroom?
- * Are professors at public universities more restricted in what they can say than those at private universities? Are professors at public schools prohibited from expressing views that would undermine their schools? For instance professors at military colleges are prohibited from saying things in class that would threaten national security.
- * Potential danger at Hunter: Suppose a faculty member criticizes the college or university. Legally, it looks like she can say whatever she wants about Hunter or CUNY in class. However, it's not clear whether she can say it to *The New York Times*. It might be that she's not free to take Hunter to task in an op ed.
- * An untenured Ivy League history professor taught that the Holocaust never happened. His contract wasn't renewed (on grounds of professional dereliction).

Faculty members responded with the following points.

- * Prof. Young proposed the following case: Suppose he's teaching evolutionary psychology, and his colleagues object. Can they constrain what he teaches? Would such a constraint amount to a loss of academic freedom?

* Professor Young also raised the following concern about academic freedom in the context of grant-dependent research: Suppose the committee rejects an application on the grounds that it will offend an influential legislator, upon whose good will Hunter relies. Can resource restrictions amount to a limitation of academic freedom?

* Prof. McCauley pointed out that the legal protections are ambiguous. They put faculty in a defensive position. Academic freedom isn't a union issue. It's not in the contract.

* Prof. Guzzetta argued that faculty are inclined to be absolutist about academic freedom because of the ambiguity of the rules that govern it. The ambiguity strengthens the administration's position. He also expressed a concern about the new student complaint procedure proposed by CUNY Central: if the chair becomes the chief investigator, isn't there a danger that chairs will become more like administrators?

* In response to a question about student complaints regarding course content Prof. Sakas stated that professors shouldn't have to change course content because they're afraid of student complaints. Professors have the right to teach whatever they want, subject to departmental constraint.

* Professors Alcabes and Sakas mentioned that they plan to write a white paper on the academic freedom rights of departments and how those rights relate to shared governance.

* Prof. Young mentioned that CUNY Central is considering standardizing the numbering of courses. Although perhaps a boon to students, this proposal is a potential infringement on department prerogative regarding curriculum and thus on academic freedom.

The meeting was adjourned at 3 PM.

Respectfully submitted,

Tony Doyle
FDA Secretary