Meeting of the University Faculty Assembly

June 8, 2026

11:00 a.m-12:00 p.m.

Guild Lounge and Zoom

(Register for Zoom webinar here)

I. Welcome from Faculty Senate President Ian Hurd (11:00 a.m.)

II. Comments from President Henry Bienen (11:05 a.m.)

III. The Provost Office (11:15 a.m.)

   i. Comments from Provost Kathleen Hagerty
   ii. Welcoming Erik Luijten

IV. Faculty Handbook Proposals (11:40 a.m.)

   i. Measures passed in the Faculty Senate (Appendix A)
   ii. Further proposed changes by Northwestern's AAUP Chapter (Appendix B)

Appendix A

Proposals to Amend the Faculty Handbook

Prepared by Faculty Rights and Responsibilities Committee
& Approved by Handbook Committee
Original March 4th 2026 • Revised March 25th 2026 • Senate Approval on May 6, 2026

The Faculty Rights and Responsibility committee exists to address "policies regarding academic freedom, teaching, research, interpersonal conduct, terms of appointment, promotion and tenure, and related matters, particularly with regard to the Faculty Handbook."

The two proposals in this memo build upon a "Teaching Reassignment Issues" briefing (Jan 7, 2026) and address the need for *rights of appeal* when a faculty member has been removed from the classroom or research facilities in a way that is an *exception* to departmental or school norms.

In its present form, there exists a *grey zone* in Faculty Handbook policies relating to cases in which a chair and/or dean can remove a faculty member from the classroom or research facilities and claim their action is *administrative* rather than *disciplinary*.

Allowing this grey zone to persist deprives affected faculty members of their due process rights.

Principles of academic freedom are designed around the idea that professors should have reasonable autonomy in the classroom and that teaching itself is integral to professional reputations. "Barring a teacher from [their] classroom," a 1963 article in the American Association of University Professors' *Bulletin* reported, "inflicts ignominy upon the teacher and is destructive to the morale of the academic community." A 1966 follow-up article insisted that "to inflict such injury without due process and, therefore, without demonstrated reason, destroys the academic character of the University."

A 2008 AAUP report (updated in 2023), argues: "Suspension usually implies an extremely negative judgment, for which the basis remains untested in the absence of a hearing, even though an administration may claim that it is saving the faculty member embarrassment. That potential embarrassment must be risked (or at least the faculty member should be permitted to risk it) if the individual is to have a chance of clearing his or her name…[S]uspension may create a prejudicial atmosphere totally out of proportion to the alleged offense and undeserved in the light of the professor's previous record." In other words, faculty need to be able to clear their names.

Proposal #1 - Academic Freedom and Disciplinary Action (Faculty Handbook, p. 6):

Current Language: "Disciplinary action will not be used to restrain faculty members in their exercise of academic freedom. If a faculty member believes a disciplinary action, including denial or delay of tenure or promotion, or termination of contract, violates their right to academic freedom, the faculty member may appeal, as outlined in the Faculty Handbook."

Proposed Edits in Red: "If a faculty member believes a disciplinary action violates their right to academic freedom, the faculty member may appeal, as outlined in the Faculty Handbook. "Disciplinary action," as used here, shall include but not be limited to any denial or delay of tenure or promotion, or termination of contract, or removal from teaching duties or access to research."

Rationale: This change does two things. First, it strengthens the firewall between professors and administrators in terms of classroom autonomy. Second, it codifies due process rights for faculty should an administrator remove them from the classroom or deny access to research in a way that is exceptional.

Proposal #2 – Teaching Activities of the Faculty (Faculty Handbook p. 10)

Current Language: "School deans, department chairs, and program directors assign teaching responsibilities and courses to each faculty member with consideration for a faculty member's engagement in research, service and other professional activities."

Proposed Addition in Red: "If a dean, department chair, and/or program director takes the exceptional step of suspending a faculty member's teaching duties, the faculty member has the right to appeal."

Rationale: This addition does three things. First, it allows administrators to retain the power to remove faculty from the classroom if they deem it necessary in terms of "fitness for duty." Second, it allows an affected faculty member to appeal that decision once it is taken, helping them protect their professional reputation and have rights of due process. Third, it reinforces the language in the Handbook on "Temporary Suspension" (see below), which acknowledges that such a step is "exceptional" and should be "narrowly tailored…so that the faculty member's rights and privileges are not summarily abrogated…." To refuse a faculty member the right of appeal effectively abrogates rights of due process. (Faculty Handbook, p. 44)

Faculty Handbook Sections (p. 38):
Initiation of Disciplinary Proceedings and Fact Finding for Suspension

Initiation of Disciplinary Proceedings

When a complaint from any source is made against a faculty member, the faculty member's dean[6] may conduct an initial inquiry to determine whether additional fact finding is warranted. Such inquiry will be completed as expeditiously as possible.

Regardless of whether an initial inquiry is undertaken, the dean will notify the faculty member in writing of any allegations brought, the factual evidence supporting the allegations or other grounds for discipline, and any applicable policies or other standards of professional conduct.

The dean will give the faculty member an opportunity to respond to the allegations or other grounds for discipline. The dean and the faculty member may seek to resolve the matter by mutual resolution, either at the initiation of, or at any other time during, the proceedings. If the issue is resolved, the process terminates.

If efforts at informal resolution are not successful and the dean determines, in the dean's judgment, that termination or suspension is not warranted, the dean will provide the faculty member with a written summary of the findings, if applicable, and notice of sanctions, if any, with a copy to the Associate Provost for Faculty. Any sanctions imposed may be appealed using the procedures outlined in the "Appeal of Sanctions Other than Termination or Suspension" section below.

Fact Finding and Sanctioning for Potential Termination or Suspension

If efforts at informal resolution are not successful and the dean determines, in the dean's judgment, that the allegations or other grounds for discipline could lead to the faculty member's termination or suspension, then a three-member *ad hoc* faculty committee will be appointed to conduct fact finding and prepare a report with recommendations, as described below. The Associate Provost for Faculty[7] will appoint the *ad hoc* committee members from the Faculty Appeals Panel pool, in consultation with the dean and the Chair of the Faculty Appeals Panel Executive Committee. The faculty member will have a reasonable opportunity to disqualify potential committee members for reasons of possible bias or prior involvement in the case. When the faculty member is non-tenure-eligible, a majority of the *ad hoc* committee should be non-tenure-eligible faculty. Once the *ad hoc* committee has been appointed, generally within 15 calendar days, the Associate Provost for Faculty will notify the faculty member.

Faculty Handbook Sections (p. 44): Fitness for Duty and Temporary Suspension

Fitness for Duty

The Faculty Fitness Panel Policy addresses issues of significant impairment, disruptive behavior, or inability to perform essential functions of a faculty member's professional role. If concerns arise about a faculty member's ability to fulfill his/her/their professional obligations, this policy is intended to be used as a last resort once all other means of resolution have been exhausted. The faculty member's dean, school administrators, and the Associate Provost for Faculty should first seek to resolve potential issues informally before recommending or referring cases to the Faculty Fitness Panel.

Determinations of whether to mandate a fitness evaluation, the review process, the fitness evaluation, and the follow up to the fitness evaluation will be conducted pursuant to the Faculty Fitness Panel Policy.

Other issues of faculty performance or discipline should be addressed through the disciplinary processes as outlined in this Faculty Handbook. Threats of violence to self or others should be referred first to the Behavioral Consultation Team (see "Temporary Suspension" section below) and then to the Faculty Fitness Panel.

Temporary Suspension

If, in the judgment of the provost[8] and the faculty member's dean,[9] after consulting with the chair (or chair's designee) of the University's Behavioral Consultation Team, a faculty member poses an immediate threat of harm to his or her own safety, to the safety of others, and/or to Northwestern, the faculty member may be temporarily suspended from service pending ultimate determination of the faculty member's case (a "temporary suspension").

Situations calling for temporary suspension are exceptional, and the scope and duration of any temporary suspension must be narrowly tailored to the nature of the potential harm posed so that the faculty member's rights and privileges are not summarily abrogated more broadly than reasonably necessary. The faculty member's dean will consult with the provost and the Chair of the Committee on Cause concerning the length and other conditions of any temporary suspension. Salary and faculty privileges unrelated to the alleged behavior will continue through the period of the temporary suspension.

Appendix B

Resolution from Northwestern University
American Association of University Professors

Whereas, the first paragraph of the Faculty Handbook (2021) states “Northwestern University subscribes to the 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments issued by the American Association of University Professors (AAUP), and the Statement on Professional Ethics adopted by the AAUP in 1966 and revised in 1987 and 2009.” And,

whereas, the Faculty Handbook states, “Freedom in the pursuit and expression of knowledge is fundamental to the life of the institution. Academic freedom creates an environment in which faculty members may pursue their scholarly research, creative activities, publication, and teaching and related activities. It is essential to the university’s fulfillment of its mission to discover, produce and communicate knowledge to students, to colleagues, and to the community at large. This mission depends upon the free search for truth and its free exposition.” And,

whereas, the Faculty Handbook fails to protect academic freedom and AAUP standards of shared governance, including by:

-empowering the administration to suspend faculty without appeal based on vague allegations of “impairment” or “disruptive behavior” untethered to specific policy violations;

-empowering school deans to hand-pick faculty for the pool from which the Associate Provost selects the Faculty Appeals Panels that review appeals of disciplinary actions by school deans;

-imposing no firm investigative and appeals deadlines on administrators;

-imposing specific and short investigative and appeals deadlines on faculty;

-not compensating faculty for participating in mandatory investigations outside the nine-months of paid employment;

-prohibiting faculty from sharing information on their own investigations;

-not notifying faculty of disclosure of their records to third-parties;

-not allowing appeals of freezes in awarded research funding;

-allowing the University’s General Counsel to participate in sanction hearings, but prohibiting faculty from having their attorney present “during the initiation, attempted

settlement, fact- finding, sanctioning, or appeal of an allegation of misconduct or other grounds for discipline...",

-allowing the administration to make final decisions that disregard findings of faculty appeals committees, without justification;

-shirking compliance with the Illinois Personnel Records Review Act;

-not protecting faculty intellectual property rights to teaching materials shared on Canvas and other third-party platforms with which the University contracts; and

whereas, a proposed change under consideration by the Faculty Senate to include suspension from teaching as appealable does not protect the faculty from the infringements on prerogatives of academic freedom and shared governance listed above; and,

whereas, Research Faculty are included as members of the Faculty Assembly and their academic freedom is crucial to protecting the mission of academic freedom stated in the Faculty Handbook; and,

whereas, the Faculty Handbook expressly excludes all Research Faculty from protections of the Faculty Handbook; and,

whereas, the University has terminated, suspended, sanctioned, and banned faculty from the campus in retaliation for protected speech and without the opportunity to appeal; and,

whereas, "If policies and procedures of schools and departments are in conflict with information in this Faculty Handbook, the statements in this handbook take precedence," according to the Faculty Handbook, thus making amendments to the Faculty Handbook the most efficient vehicle for redress of numerous deficiencies in University policies; and,

whereas, "when the Faculty Assembly is convened with a quorum (10% of membership), it becomes the ultimate legislative body of the faculty at Northwestern University." And,

whereas, "On its own initiative [the Faculty Assembly] may submit recommendations and resolutions to the Board of Trustees on any matter affecting the general interests of the University." And,

whereas, the capacity of the Faculty Senate or other bodies of Northwestern to undertake such recommendations and present them to the Provost does not supersede the prerogatives of the Faculty Assembly, including that of submitting a resolution to the Board of Trustees on matters in the Faculty Handbook, and,

whereas, the Association of Governing Boards and the American Council of Education, *Statement on Government of Colleges and Universities* holds, "The governing board and

president should, on questions of faculty status, as in other matters where the faculty has primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail." And,

whereas, Northwestern University is a member of the American Council of Education; and,

whereas, the University has a long history of governance decisions in violation of its Charter's sole mission of education, and has admitted to the Internal Revenue Service of ongoing investments that jeopardize its nonprofit status, unlike other private universities; and,

whereas, the University pursues unsuccessful, unconstitutional prosecutions of faculty, while forcing faculty seeking to protect their research funding to recruit their own attorneys; and

whereas, the Board failed to enact the resolutions passed by the Faculty Assembly in Spring, 2025 and Fall, 2025; and,

whereas, the University's disregard of the Faculty Assembly's vote on the Faculty Handbook may be used as evidence in legal proceedings or policy-making on behalf of faculty; and,

whereas, absent these changes, the University will not uphold its stated commitment to academic freedom, therefore,

Be it resolved that Northwestern University shall adopt the Faculty Handbook as amended herein, and as endorsed by the Northwestern University American Association of University Professors.