

Northwestern University
Minutes of the Faculty Senate
Videoconference
July 14, 2021

The Northwestern University Faculty Senate held a special meeting on July 14, 2021, over Zoom videoconference. President Therese McGuire called the meeting to order at 5:03 p.m. A quorum was present.

The president noted that the minutes from the June 2, 2021 meeting were approved and entered into the record.

The president recalled why the Senate was holding a special meeting: to consider proposed new language for the academic freedom section of the Faculty Handbook. She noted that first reading of the proposal and discussion took place at the June 2, 2021 meeting. A reflection period with further feedback due by June 28 followed, and given that there were very few suggestions for changes along with a groundswell of support for the proposal, the president said the Senate leadership felt comfortable moving forward with a second reading, discussion, and vote on the proposal.

The president then asked Senator Harris Feinsod to review the proposal and comment on the changes that were made.

Senator Feinsod said that the [new proposal](#) updates references to national AAUP standards in key areas through citation and paraphrase, extends academic freedom to tenure-eligible and non-tenure-eligible faculty and to all officers of instruction as defined by the Faculty Handbook, includes all campuses and branches of the University, includes the work of faculty abroad as well as academic work outside the classroom, expands academic freedom in research and publication to include creative activities and public-facing work in print and electronic venues, clarifies academic freedom's relationship to other University policies, refines descriptions of responsibilities that could be interpreted as limiting protections, adds significant language protecting faculty involvement in shared governance of the

institution, and affirms the right to appeal violations of academic freedom as outlined elsewhere in the Faculty Handbook. He added that the resulting policy was a collaboration between the administration and the Faculty Senate as well as a complex and good-faith negotiation when senators shared the concerns of the broader faculty. He noted that feedback from the faculty allowed for several substantive changes at the last meeting. He then said the second open comment period resulted in a few small comments, and in an effort to minimize changes as much as possible, given that any change requires an introduction of an amendment, Senator Feinsod said they produced only two changes for review.

Senator Ceci Rodgers then made a motion to delete the phrase “to the extent that applicable laws allow” in paragraph 1.1 and insert the following sentence at end of the same paragraph: “While academic freedom essentially coexists with established legal frameworks, on rare occasion the two may be in conflict.” The motion was seconded, and the floor was then opened for discussion.

Senator Rodgers began discussion by providing some rationale for the change. She said that a dialogue at the June 2 meeting centered around the phrase “to the extent that applicable laws allow” and the committee chairs agreed to go back to the administration and General Counsel to get clarification on that wording. Senator Rodgers said it was important to the administration that there be some language in the proposal recognizing the legal parameters around academic freedom. In the end, Senator Rodgers said they were able to find more descriptive, as opposed to prescriptive, language and came up with a phrase recognizing those legal parameters without limiting or undermining academic freedom.

Senator Manijeh Razeghi expressed concern about the efforts on the part of the federal government to restrict academic research and publication when it involves certain types of research that might fall under export control. She used the example of not being able to publish research on certain types of lasers. She then asked what Northwestern’s policy is at it relates to export control and those potential restrictions to her research. President-Elect Bob Holmgren said the problem is the government has taken a more active role in foreign interference and intellectual activity generated at universities. Unfortunately, he said this issue points to conflicts between academic freedom and legal frameworks. He said that right now universities across the United States are working to try and understand the rules

related to foreign interference and academic research, and to influence congress in the making of these rules. He added that the addition of the final sentence signals the very problem universities face as they confront the legal limits of academic freedom. Senator Razeghi then asked for clarification on Northwestern's policy. President-Elect Holmgren said the reason they removed the phrase "to the extent applicable laws allow" was because it presumed that laws had precedent. Therefore, the new statement he pointed out, does not say what the University will do, but rather leaves room for mitigation on the University's part when laws restrict academic freedom.

Senator Karen Alter thanked the committee chairs and the Senate leadership for their hard work. She said she was very comfortable with the changes and moving forward with a vote.

Senator Kyle Henry said the new phrase does not impinge upon faculty rights. He lauded the fact that it was descriptive and didn't give precedent to the laws as President-Elect Holmgren pointed out.

Past President Hedman thanked Senator Rodgers and Senator Feinsod and everyone else who worked tirelessly to protect faculty rights and balance that with the issues stakeholders raised along the way.

Senator Angela Lee thanked everyone as well. She also wondered if "occasion" could be pluralized. Later in the meeting the president said "rare occasion" is considered in the plural.

Senator Fred Turek congratulated the chairs and senators on all their hard work. He then asked if the proposal protects research faculty. The president said it was her understanding that research faculty members are included as NTE faculty.

With no further discussion, the motion was voted on and approved.

Senator Feinsod then moved to pluralize the word "discipline" to "disciplines" in paragraph 1.1.b of the proposal. The motion was seconded, and the floor was then opened for discussion.

Senator Feinsod began discussion by explaining that the change was prompted by a senator who brought forth a cogent question about what it means to teach in an interdisciplinary framework where one might discuss the ethical and scholarly standards beyond one's field of training. By invoking the pluralized "disciplines," the change recognizes the interdisciplinarity of the profession.

Senator Luís Amaral thanked the committees for the change and their outstanding work. He said he directs an interdisciplinary center and the profession itself is broadening to where faculty teach in departments outside their degree field. He said the change protects that work.

With no further discussion, the motion was voted on and approved.

The president then introduced a motion to approve the [proposal for new academic freedom language in the Faculty Handbook](#). The motion was seconded, and the floor was then opened for discussion.

Senator Henry thanked everyone for their hard work and championed the process and how it unfolded. He said the Faculty Senate will be the ones to monitor the pressure points in the policy, particularly this policy being applied equally for NTE faculty.

With no further discussion, the motion was voted on and approved.

The president then thanked all senators, committee chairs, Senate staff, and the Senate's parliamentarian Roger Boye. President-Elect Bob Holmgren then extended a hearty thanks to the president for her service and leadership during an especially challenging year.

With no further business, the meeting adjourned at 5:32 p.m.

Respectfully submitted,

Jared Spitz

Secretary to the Faculty Senate

