TO: VCU Faculty Senate  
FROM: D&E Subcommittee of the Faculty Senate  
RE: Resolution: Defending Academic Freedom to Lead Discussions About Racial, Class and Gender Justice  
Date: December 1, 2021

RATIONALE:

WHEREAS state legislative proposals are being introduced across the United States that target academic discussions of racism and related issues in American history, culture and politics in schools, colleges and universities.

WHEREAS Virginia Commonwealth University’s Faculty Handbook affirms the importance of academic freedom to the proper functioning of universities.

WHEREAS academic freedom (and its concurrent responsibilities) is clearly outlined in the American Association of University Professors’ 1940 statement of Principles on Academic Freedom and Tenure.

WHEREAS faculty have responsibility for the curriculum at their universities, as stated in AAUP’s Statement on Government of Colleges and Universities, “The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process;” and in VCU’s own policy, “the faculty through a system of appointed or elected departmental, school, and University committees shall have the right to develop and recommend – or otherwise, to participate in decisions involving – new degree programs, new course offerings, modifications of existing courses, and degree requirements.”

WHEREAS the term “divisive” is indeterminate, subjective, and diminishes the capacity of educators to explore a wide variety of topics based on subjective criteria that are inapprosite from the goals of education and the development of essential critical thinking skills;

WHEREAS educating about systemic barriers to actualizing a multiracial democracy based on race or gender should be understood as central to the active and engaged pursuit of knowledge in the 21st century to produce engaged and informed citizens;

WHEREAS over seventy organizations, including the American Association of University Professors (AAUP) and the Association of American Colleges and Universities (AACU), issued the Joint Statement on Legislative Efforts to Restrict Education about Racism and American History (June 16, 2021) stating their “firm opposition to a spate of legislative proposals being introduced across the country that target academic lessons, presentations, and discussions of
racism and related issues in American history in schools, colleges and universities. In higher education, under principles of academic freedom that have been widely endorsed, professors are entitled to freedom in the classroom in discussing their subject. Educators, not politicians, should make decisions about teaching and learning.”

WHEREAS Virginia Commonwealth University’s mission features “Deeply engrained [sic] core values of diversity, inclusion and equity that provide a safe, trusting and supportive environment to explore, create, learn and serve.”

WHEREAS Virginia Commonwealth University’s Office of Institutional Equity, Effectiveness and Success’s website affirms the importance of racial and social justice.

WHEREAS the Faculty Senate of Virginia Commonwealth University has crafted its own anti-racism statement which states, “The VCU Faculty Senate recognizes that structural and systemic racism across our educational and social institutions affect the psychological, physical, and spiritual well-being of our entire VCU campus and broader community.”

WHEREAS in a nation that has for centuries struggled with issues of racial inequity and injustice, many students do not have adequate knowledge of BIPOC (Black, Indigenous People of Color) and LGBTQIA+ (Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and Asexual) history and the policies that have contributed to inequities, Virginia Commonwealth University has a responsibility and opportunity to help build equity and social justice.

RESOLUTION:

THEREFORE BE IT RESOLVED that the Faculty Senate resolutely rejects any attempts by bodies external to the faculty to restrict or dictate university curriculum on any matter, including matters related to racial and social justice, and will stand firm against encroachment on faculty authority by the legislature or non-faculty entities.

BE IT FURTHER RESOLVED that the Faculty Senate stands with our K-12 colleagues throughout the country who may be affected by pernicious legislation when they seek to teach historically accurate and evidence-based accounts of U.S. history and civics education.

BE IT FURTHER RESOLVED that Faculty Senate calls upon President Michael Rao and Provost Fotis Sotiropoulos to affirm that they reject any attempts by bodies external to the faculty to restrict or dictate university curriculum on any matter, including matters related to racial and social justice, and will stand firm against encroachment on faculty authority by the legislature or non-faculty entities.

BE IT FURTHER RESOLVED that Faculty Senate affirms the Joint Statement on Efforts to Restrict Education about Racism, authored by the AAUP, PEN America, the American Historical Association, and the Association of American Colleges & Universities, endorsed by over seventy organizations, and issued on June 16, 2021.
Background:


Texas 'critical race theory' bill limiting teaching of current events signed into law (ABC13, June 16, 2021)

Republicans Want Federal Funding Cuts to Schools Using ‘1619 Project’—But There’s a Twist (Education Week, June 15, 2021)

Critical race theory battle invades school boards — with help from conservative groups (NBC News, June 15, 2021)

Teachers across the country protest laws restricting lessons on racism (Washington Post, June 12, 2021)

‘Children deserve to be taught’: Teachers in 22 cities are planning protests over laws restricting racism lessons in schools (USA Today, June 11, 2021)

'Critical Race Theory Is Simply the Latest Bogeyman.’ Inside the Fight Over What Kids Learn About America's History (TIME Magazine, June 24, 2021)

Uncovering Who Is Driving The Fight Against Critical Race Theory In Schools (LISTEN) (Fresh Air, June 24, 2021)

How the media’s helping GOP fuel critical race theory hysteria (Press Run, June 23, 2021)

Critical race theory has been around for decades — why’s it a powder keg now? (LISTEN) (Marketplace, June 22, 2021)

VIDEO: Creator of term 'Critical Race Theory' Kimberlé Crenshaw explains what it really is (MSNBC/The Reid Out, June 21, 2021)

VIDEO: The truth about ‘critical race theory’: co-founder breaks down GOP gaslight (MSNBC/The Medhi Hasan Show, June 20, 2021)

Fox’s anti-“critical race theory” parents are also GOP activists (Media Matters, June 17, 2021)


Why are states lining up to ban critical race theory? (University World News, June 12, 2021)


(VIDEO) What critical race theory is really about (CNN/Don Lemon Tonight, May 17, 2021)

Examples of efforts to support CRT/oppose legislation banning its teaching:


https://www.nytimes.com/2021/06/16/arts/critical-race-theory-scholars.html

“The clear goal of these efforts is to suppress teaching and learning about the role of racism in the history of the United States,” says the statement, whose signatories include the American Historical Association, the American Association of University Professors, the American Federation of Teachers and the Association of American Colleges and Universities.

“The ideal of informed citizenship necessitates an educated public,” the statement continues. “Educators must provide an accurate view of the past in order to better prepare students for community participation and robust civic engagement.”


The University is committed to protecting academic freedom and to creating a learning, living, and working environment free of discrimination, harassment, and sexual and related misconduct. Based on the protections afforded by academic freedom, speech and other expression in the context of instruction or research will not be considered prohibited conduct unless this speech or expression meets the definition of discrimination or protected-status harassment under Cornell policies and procedures, and also meets one or both of the following
criteria: a reasonable person in the setting would find it to be abusive or humiliating toward a specific individual or specific individuals, or it persists despite the reasonable objection of the specific individual or individuals targeted by the speech.