Meeting of American Association of University Professors (AAUP) enthusiasts at UT Austin. AAUP@UT is connected to the Texas AAUP Conference of all statewide AAUP members, AAUP, and American Federation of Teachers (AFT). Texas AAUP Conference works closely with Texas AFT, Texas Association of College Teachers, Texas Council of Faculty Senates, and Texas Faculty Association. You have a lot of people and resources supporting you!

AAUP@UT Action Items

• **Vote.** Candidate statements vote411.org. More at votetexas.gov & vote.org.
• **Support** Texas AAUP campaign and Texas AFT campaign for education
• **Join** AAUP or renew AAUP membership (via membership portal).
• **Plan** campus events for professional faculty and instructors of flag courses.
• **Join** Lobby Days at State Capitol by TACT on Dec 2 (topics) and Texas AFT Mar 13

Campaigns for education are

• “Pledge to Support Higher Education in Texas” by the Texas AAUP Conference.
• "Respect Us Expect Us" Texas AFT campaign for K-12 educators.

Campus events for faculty with AAUP@UT, Texas AFT and Faculty Council

• “Know your rights” for Professional Faculty. Academic freedom. Employment. Is our offer letter a contract? Some letters say “subject to availability of courses”.
• Gathering resources for instructors of flag courses – ethics, independent inquiry, cultural diversity, etc. Protections and support of each other. Help understand actual threats vs. political ploys. Pitfalls of self-censorship. Addressing fear.

Texas AFT will track higher ed bills in the State Legislature on tenure, academic freedom, post-tenure review, faculty senates, guns on campus, and cost-of-living increases for the Teachers’ Retirement System

AAUP
The mission of the American Association of University Professors is to “advance academic freedom and shared governance; to define fundamental professional values and standards for higher education; to promote the economic security of faculty, academic professionals, graduate students, postdoctoral fellows, and all those engaged in teaching and research in higher education; to help the higher education community organize to make our goals a reality; and to ensure higher education’s contribution to the common good.”

A two-page summary of AAUP teachings on academic freedom, tenure and shared governance is available in the “Pledge to Support Higher Education in Texas” adopted on October 8, 2022, at the Fall meeting of Texas AAUP members. Please consider signing. The
pledge is based on two seminal documents formulated by AAUP and organizations representing university administrations (AAC&U and ACE) and governing boards (AGB):

- AAUP/AAC&U 1940 Statement of Principles on Academic Freedom and Tenure
- AAUP/ACE/AGB 1996 Statement on Government of Colleges and Universities

Nationally, AAUP affiliated with the American Federation of Teachers (AFT) on August 1, 2022. All AAUP members are members of AFT, which is in turn affiliated with AFL-CIO. Texas AFT, with 66,000 members, advocates for K-12 educators and college professors. Texas AFT has chapters at Austin Community College and Lone Star College, and presence at many other public community colleges. They work with the Texas State Employees Union and other AFL-CIO affiliates in launching statewide campaigns for worker rights and in lobbying the State Legislature. In Texas, AAUP members are not automatically members of Texas AFT. Even so, Texas AAUP Conference has been collaborating with Texas AFT on several efforts and is in discussions about affiliating with Texas AFT.

**Detailed Notes**

- 2:00-2:15pm Brian Evans, UT Austin, Welcome. Speaking for himself.
  - Welcome guests
    - Debra Murthy at Huston–Tillotson University
    - Irvin Osbourne-Lee at Prairie View A&M University
    - Patty Quinzi at the Texas American Federation of Teachers
  - Seminal documents on academic freedom, tenure and shared governance
    - AAUP/AAC&U 1940 Statement of Principles on Academic Freedom & Tenure
    - AAUP/ACE/AGB 1996 Statement on Government of Colleges and Universities
  - Review of last year's meetings from the [AAUP@UT temporary Web site](https://www.utexas.edu)
- 2:15-2:30pm Irvin Osborne-Lee, Prairie View A&M University, Prairie View, TX. Speaking for himself.
  - Synergy among AAUP Chapter, Faculty Senate, and University President
  - President Ruth Simmons asked faculty to form an AAUP chapter and strengthen faculty governance when she took office
  - Texas AAUP Conf. awarded Pres. Simmons in 2022 the Jack Kilgore Award for Outstanding University Administrators (highest honor for administrators)
- 2:30-3:00pm Steve Vladeck, Law School, UT Austin. Speaking for himself.
  - Bio: Expertise in federal courts and constitutional law. CNN Supreme Court Analyst. Chair UT Austin Committee of Counsel on Academic Freedom and Responsibility. Faculty Council Executive Committee.
  - Notes and references [1-3] below by Brian Evans – notes might have errors and omissions in them.
  - *Pernell* case has enormous potential ramifications for all public universities in the United States, especially those in states that may try to pass laws like Florida's "Stop W.O.K.E. Act."
  - "Stop W.O.K.E." Act in Florida being challenged in federal court [1][2]
    - Viewpoint-based regulation -- triggers strict scrutiny
    - Claim: Faculty speech is government speech.
    - involved outside of K-12 classroom speech
• K-12 teachers advertising political activities
  o Supreme Court has taken steps away from Pickering
    • 2007 Garcetti case
    • Memorandum by Asst. District Attorney
    • In role as government employee
    • 2014 Lane vs. Franks
  o Speech by professors is not covered by either case
  o Supreme Court hasn't grappled with this question
  o Academic Freedom for professors
    • Ruled on by lower courts
    • Will it be a carve-out from Garcetti, or not or something between?
  o Impact will be HUGE
  o Oct. 13th-- Judge Walker (Republican; U.S. District Court for the Northern District of Florida) in the Florida case held a hearing but hasn't issued a ruling yet. The ruling, whatever it is, can be appealed. The ruling will likely have an impact on Texas bills proposed by Lt. Gov. Dan Patrick.
  o Aside: Texas HB20 Texas Social Media Speech Regulation
  o First Amendment Rights of students?

• 3:00-3:15pm Brian Evans, UT Austin. Speaking for himself.
  o Long-running statewide synergy with Texas AAUP Conference, Texas Association of College Teachers, Texas Council of Faculty Senates, and Texas Faculty Association
  o Higher Education Updates Around the State – these can happen anywhere
    Texas A&M removed tenured/tenure-track positions of ~30 librarians [4]
    Nearly 30 librarians at Texas A&M University have lost either tenured or tenure-track status after the administration opted to reorganize the system's 10 libraries.
    The Faculty Senate opposed the reorganization of the library, on the grounds that the changes were being pushed through too quickly and the university had yet to explain its rationale for the decision.

University of Houston System is modifying its post-tenure review policies to dismiss tenured faculty who receive a low performance review.

  Appears to conflict with current state statute on post-tenure review
  Might allow administrators to dismiss tenured faculty they don't like

Alamo Colleges. Against wishes of the faculty, Board of Directors of voted to make the pause on offering tenure in place since 2011 permanent [5]

  Faculty Senate had worked with the Presidents and Board of Directors in good faith for the last three years and developed a plan to restore the offering of tenure and hiring of tenure-track faculty.
  Faculty Senate had developed tenure guidelines and post-tenure review guidelines in consultation with the Presidents and Board

Dallas College recently removed future rolling three-year contracts of all faculty, defaulting them to one-year contracts (in addition to putting over 60 full-
time faculty on wind-down contracts and laying off hundreds of staff and administrators] [6, 7]

**Collin College** recently fired multiple, excellent full-time faculty who exercised their academic freedom, shared governance, and 1st amendment rights [8, 9].

- Texas AAUP Conf online "Pledge to Support Higher Education in Texas".
- **TACT Legislative Day**, Friday, Dec. 2, 8:30am-11:30am, State Capitol
- New statewide synergy with Texas American Federation of Teachers (AFT) due to affiliation of AAUP national with AFT national effective Aug. 1, 2022

- 3:15-3:40pm **Patty Quinzi**, JD, Dir. Public Affairs & Legislative Counsel, Texas AFT, Austin, TX. Speaking for herself.
  - Nationally, AAUP affiliated with AFT effective August 1, 2022
  - Texas AAUP Conference collaborating with Texas AFT (66,000 members)
  - Texas AFT has chapters at ACC and Lone Star College and presence at other community colleges as well as at K-12 schools
  - Has five lobbyists engaged in outreach to the State Legislature
  - Strategizes with Texas State Employees Union (TSEU) and other AFL-CIO unions including meeting daily when the State Legislature is in session
  - Texas AFT online "Respect Us Expect Us" campaign for K-12 teachers.
  - Texas AFT weekly newsletter.
- 3:40-4:00pm Brainstorming
  - "Know your rights" for Professional Faculty. Academic freedom.
  - Employment. Is our offer letter a contract? Some letters say “subject to availability of courses”.
  - Gathering resources for instructors of flag courses – ethics, independent inquiry, cultural diversity, etc. Protections and support of each other. Help understand actual threats vs. political ploys. Pitfalls of self-censorship. Addressing fear.

**References**