

Date: February 25, 2022
To: UTK Faculty Senate
From: Lucy Jewel, Faculty Senator (Professor, College of Law); Monica Black, Faculty Senator (Professor, Department of History); Mary McAlpin, Faculty Senator (Professor, Department of Modern Foreign Languages & Literatures)
Re: Resolution Defending Academic Freedom to Research and Teach Divisive Concepts

Resolution Defending Academic Freedom to Research and Teach Divisive Concepts

WHEREAS the Tennessee General Assembly is considering Senate Bill 2290/House Bill 2670 (“Senate Bill 2290”), which seeks to limit “divisive concepts” in higher education; and

WHEREAS Senate Bill 2290 defines “divisive concepts” broadly, which could arguably limit teaching, speaking, and researching that involves critical perspectives on race, gender, sex, sexual orientation, religion, and other forms of identity; and

WHEREAS Section Four of Senate Bill 2290 authorizes an “individual who believes that a violation . . . has occurred, [to] pursue all equitable or legal remedies that may be available. . . in a court of competent jurisdiction;” and

WHEREAS Senate Bill 2290, by referencing litigation, could chill academic discussion of important issues, including discussions involving race, gender, sex, sexual orientation, religion, and other forms of identity; and

WHEREAS the American Association of University Professors’ (AAUP) [1940 Statement of Principles on Academic Freedom and Tenure](#) affirms that, “teachers are entitled to freedom in the classroom in discussing their subject;” and,

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;” and

WHEREAS exposing students to a diversity of views, including contested views, better prepares students to participate in a competitive, multinational, and multicultural workforce; and

WHEREAS the primary mission of the University of Tennessee is to move forward the frontiers of human knowledge to enrich and elevate the citizens of the state of Tennessee, the nation, and the world; and,

WHEREAS the 2021 Faculty Handbook, Section 2.1.1 affirms that “faculty members have the right to academic freedom and are expected to seek and to speak the truth as they perceive it on the basis of expertise and research in their discipline;”

WHEREAS the 2021 Faculty Handbook, Section 2.1.1 also affirms that “academic freedom is this right for faculty members to teach, research, create, and perform about their knowledge and understanding in their discipline.”

WHEREAS the 2021 Faculty Handbook, Section 1.7 affirms that the faculty have the “primary role in determining curriculum [and] educational policy.”

THEREFORE, BE IT RESOLVED that the UTK Faculty Senate affirms the academic freedom of every faculty member to research, write, speak, and teach within their discipline, even if their work confronts issues or reflects views that others might deem controversial or divisive.

BE IT FURTHER RESOLVED that the UTK affirmatively rejects any efforts from bodies external to the faculty, other than the Tennessee Higher Education Commission and organizations charged with supervising accreditation processes and standards, to censor or dictate university curriculum on any matter, including matters related to racial justice, social justice, diversity, equity, and inclusion.