

## DOCUMENTS OF THE GENERAL FACULTY

**COMMITTEE OF COUNSEL ON ACADEMIC FREEDOM AND RESPONSIBILITY RESOLUTION  
DEFENDING ACADEMIC FREEDOM TO TEACH ABOUT RACE AND GENDER JUSTICE AND  
CRITICAL RACE THEORY**

On behalf of the Committee of Counsel on Academic Freedom and Responsibility, Andrea Gore (Committee Chair and Professor, Pharmacy) submitted this resolution affirming the fundamental rights of faculty to academic freedom in its broadest sense, inclusive of research and teaching of race and gender theory. This resolution is co-sponsored and endorsed by the University Faculty Gender Equity Council (UFGEC), the Council for LGBTQ+ Access, Equity, and Inclusion (Q+AEI), the Council for Racial and Ethnic Equity and Diversity, and the Faculty Council Executive Committee.

The Faculty Council will vote on this resolution at its meeting February 14, 2022.



Charlotte Canning, Secretary  
General Faculty and Faculty Council  
The University of Texas at Austin  
Frank C. Erwin, Jr. Centennial Professor in Drama

**COMMITTEE OF COUNSEL ON ACADEMIC FREEDOM AND RESPONSIBILITY RESOLUTION  
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**Synopsis:**

This resolution affirms that educators, not politicians, should make decisions about teaching and learning, and supports the rights and academic freedom of faculty to design courses, curriculum, and pedagogy, and to conduct related scholarly research. More specifically, state legislative proposals seeking to limit teaching and discussions of racism and related issues have been proposed and enacted in several states, including Texas. This resolution affirms the fundamental rights of faculty to academic freedom in its broadest sense, inclusive of research and teaching of race and gender theory.

**Rationale:**

**WHEREAS** state legislative proposals are being introduced across the United States that seek to limit academic discussions of racism and related issues in American history in schools, colleges and universities;

**WHEREAS** such legislation, [HB 3979](#),<sup>1</sup> has recently been enacted by the Texas legislature in connection with K-12 social studies education;

**WHEREAS** the Board of Regents of the University of Texas System has affirmed faculty freedom in research and in the classroom ([Rule 31004](#));<sup>2</sup>

**WHEREAS** the American Association of University Professors' [1940 statement of Principles on Academic Freedom and Tenure](#)<sup>3</sup> affirms the importance of academic freedom to the proper functioning of universities;

<sup>1</sup> <https://capitol.texas.gov/tlodocs/87r/billtext/pdf/HB03979F.pdf>

<sup>2</sup> <https://www.utsystem.edu/board-of-regents/rules/31004-rights-and-responsibilities-faculty-members>

<sup>3</sup> <https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>

**WHEREAS** the Faculty Council at the University of Texas at Austin has approved a [Diversity, Equity and Inclusion Statement](#)<sup>4</sup> that affirms the university’s commitment “to create an inclusive environment of teaching, research, and service in which all can learn from one another”;

**WHEREAS** UT President Jay Hartzell has [approved the Strategic Plan for Faculty Diversity, Equity, and Inclusivity](#)<sup>5</sup> for UT Austin that aims to “establish an equitable and inclusive climate” and “support innovative and diverse scholarship, teaching, and service;”

**WHEREAS** faculty should primarily determine academic policy at their universities, as stated in the AAUP Statement on Government of Colleges and Universities (1967) and the Board of Regents of the University of Texas System Rule [40101](#);<sup>6</sup>

**WHEREAS** legislative proposals and enactments seek to prohibit academic discussions of racism and related issues if the discussion would be “divisive” or suggest “blame” or cause “psychological distress,” but fail to recognize that these criteria are indeterminate and subjective and chill the capacity of educators to exercise their academic freedom and use their expertise to make determinations regarding content and discussions that will serve educational purposes;

**WHEREAS** educating about systemic barriers to realizing a multiracial democracy based on race or gender should be understood as central to the active and engaged pursuit of knowledge in the 21<sup>st</sup> 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)<sup>7</sup> 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** the University of Texas at Austin declares that “diverse people and ideas” are central to the [core values](#)<sup>8</sup> of the institution along with “learning,” “discovery,” and “freedom”;

**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 and LGBTQ+ history and the policies that contributed to inequities, the University of Texas at Austin has a responsibility and opportunity to help build equity and social justice.

**Resolution:**

**THEREFORE BE IT RESOLVED** that the Faculty Council resolutely rejects any attempts by bodies external to the faculty to restrict or dictate the content of university curriculum on any matter, including matters related to racial and social justice, and will stand firm against any and all encroachment on faculty authority including by the legislature or the Board of Regents.

**BE IT FURTHER RESOLVED** that the Faculty Council stands with our K-12 colleagues throughout the country who may be affected by this kind of pernicious legislation when they seek to teach the truth in U.S. history and civics education.

<sup>4</sup> <https://utexas.app.box.com/s/3bg9un6ylyjqncbxwmwui5q1cd9xk8pi>

<sup>5</sup> <https://provost.utexas.edu/2021/04/14/strategic-plan-for-faculty-diversity-equity-and-inclusivity-approved/>

<sup>6</sup> <https://www.utsystem.edu/board-of-regents/rules/40101-faculty-role-educational-policy-formulation>

<sup>7</sup> <https://www.aaup.org/news/joint-statement-efforts-restrict-education-about-racism#.YgKN1fXMJBx>

<sup>8</sup> <https://www.utexas.edu/about/mission-and-values>

**BE IT FURTHER RESOLVED** that Faculty Council calls upon President Hartzell and Provost Wood to affirm that they reject any attempts by bodies external to the faculty to restrict or dictate the content of university curriculum on any matter, including matters related to racial and social justice, and will stand firm against encroachment on faculty authority.

**BE IT FURTHER RESOLVED** that Faculty Council affirms the [Joint Statement on Efforts to Restrict Education about Racism](#),<sup>9</sup> 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.

### **References:**

- [Scholarly Groups Condemn Laws Limiting Teaching on Race](#).<sup>10</sup> (New York Times, June 16, 2021)
- [Texas 'critical race theory' bill limiting teaching of current events signed into law](#).<sup>11</sup> (ABC13, June 16, 2021)
- [Republicans Want Federal Funding Cuts to Schools Using '1619 Project'—But There's a Twist](#).<sup>12</sup> (Education Week, June 15, 2021)
- [Critical race theory battle invades school boards — with help from conservative groups](#).<sup>13</sup> (NBC News, June 15, 2021)
- [Teachers across the country protest laws restricting lessons on racism](#).<sup>14</sup> (Washington Post, June 12, 2021)
- ['Children deserve to be taught': Teachers in 22 cities are planning protests over laws restricting racism lessons in schools](#).<sup>15</sup> (USA Today, June 11, 2021)
- ['Critical Race Theory Is Simply the Latest Bogeyman.' Inside the Fight Over What Kids Learn About America's History](#).<sup>16</sup> (TIME Magazine, June 24, 2021)
- [Uncovering Who Is Driving The Fight Against Critical Race Theory In Schools \(LISTEN\)](#).<sup>17</sup> (Fresh Air, June 24, 2021)
- [How the media's helping GOP fuel critical race theory hysteria](#).<sup>18</sup> (Press Run, June 23, 2021)
- [Critical race theory has been around for decades — why's it a powder keg now? \(LISTEN\)](#).<sup>19</sup> (Marketplace, June 22, 2021)
- [VIDEO: Creator of term 'Critical Race Theory' Kimberlé Crenshaw explains what it really is](#).<sup>20</sup> (MSNBC/The Reid Out, June 21, 2021)

<sup>9</sup> <https://www.aaup.org/news/joint-statement-efforts-restrict-education-about-racism#.YPnfOFNKg6g>

<sup>10</sup> <https://www.nytimes.com/2021/06/16/arts/critical-race-theory-scholars.html>

<sup>11</sup> <https://abc13.com/texas-critical-race-theory-bill-gov-greg-abbott-signs-limiting-teaching-of-current-events-what-is-in-schools-hb3979/10795073/>

<sup>12</sup> <https://www.edweek.org/teaching-learning/republicans-want-federal-funding-cuts-to-schools-using-1619-project-but-theres-a-twist/2021/06>

<sup>13</sup> <https://www.nbcnews.com/news/us-news/critical-race-theory-invades-school-boards-help-conservative-groups-n1270794>

<sup>14</sup> <https://www.washingtonpost.com/education/2021/06/12/teachers-protest-laws-restricting-antiracism-lessons-in-school/>

<sup>15</sup> <https://www.usatoday.com/in-depth/news/education/2021/06/11/critical-race-theory-bills-nationwide-teacher-protests/7620025002/>

<sup>16</sup> <https://time.com/6075193/critical-race-theory-debate/>

<sup>17</sup> <https://www.npr.org/2021/06/24/1009839021/uncovering-who-is-driving-the-fight-against-critical-race-theory-in-schools?t=1624802316489>

<sup>18</sup> [https://pressrun.media/p/how-the-medias-fueling-critical-race?token=eyJ1c2VyX2lkIjozNDU1Mzc1LCJwb3N0X2lkIjozNzg5NDIzMCwiYyI6InlLNEJKIiwiaWF0IjoxNjI0NDcxMjg1LCJleHAiOiJlMjMjQ0NzQ4ODUsImlzcyl6InB1Yi0zMzE4Iiwic3ViIjoicG9zdC1yZWJkdGlubiJ9.iAknGZXxYvnE\\_\\_ja0IP25S9Y\\_fo2A5\\_krcW02Pv4PHU](https://pressrun.media/p/how-the-medias-fueling-critical-race?token=eyJ1c2VyX2lkIjozNDU1Mzc1LCJwb3N0X2lkIjozNzg5NDIzMCwiYyI6InlLNEJKIiwiaWF0IjoxNjI0NDcxMjg1LCJleHAiOiJlMjMjQ0NzQ4ODUsImlzcyl6InB1Yi0zMzE4Iiwic3ViIjoicG9zdC1yZWJkdGlubiJ9.iAknGZXxYvnE__ja0IP25S9Y_fo2A5_krcW02Pv4PHU)

<sup>19</sup> <https://www.marketplace.org/shows/make-me-smart-with-kai-and-molly/critical-race-theory-explained/>

<sup>20</sup> <https://www.msnbc.com/the-reidout/watch/critical-race-theory-explained-as-not-marxist-or-racist-by-its-leading-scholar-kimberle-crenshaw-115226693996>

- [VIDEO: The truth about ‘critical race theory’: co-founder breaks down GOP gaslight.](#)<sup>21</sup> (MSNBC/The Medhi Hasan Show, June 20, 2021)
- [Fox’s anti-“critical race theory” parents are also GOP activists.](#)<sup>22</sup> (Media Matters, June 17, 2021)
- [Critical Race Theory: What It Means for America and Why It Has Sparked Debate.](#)<sup>23</sup> (Wall Street Journal, June 17, 2021)
- [Why are states lining up to ban critical race theory?](#)<sup>24</sup> (University World News, June 12, 2021)
- [The New York Times’ Culture-War Definition of Free Speech.](#)<sup>25</sup> (Melissa Gira Grant, The New Republic, June 8, 2021)
- [Guest Blog: Where Does the Bizarre Hysteria About ‘Critical Race Theory’ Come From? Follow the Money!](#)<sup>26</sup> (Inside Higher Ed, June 3, 2021)
- [Opinion: Why Conservatives Really Fear Critical Race Theory.](#)<sup>27</sup> (Christine Emba, The Washington Post, May 26, 2021)
- [\(VIDEO\) What critical race theory is really about.](#)<sup>28</sup> (CNN/Don Lemon Tonight, May 17, 2021)

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<sup>21</sup><https://www.msnbc.com/the-week/watch/the-truth-about-critical-race-theory-co-founder-breaks-down-gop-gaslighting-115157061613>

<sup>22</sup> <https://www.mediamatters.org/fox-news/foxs-anti-critical-race-theory-parents-are-also-gop-activists>

<sup>23</sup><https://www.wsj.com/articles/critical-race-theory-what-it-means-for-america-and-why-it-has-sparked-debate-11623956268>

<sup>24</sup> <https://www.universityworldnews.com/post.php?story=20210612085115831>

<sup>25</sup> <https://newrepublic.com/article/162674/new-york-times-aclu-free-speech-culture-war>

<sup>26</sup><https://www.insidehighered.com/blogs/just-visiting/guest-blog-where-does-bizarre-hysteria-about-%E2%80%98critical-race-theory%E2%80%99-come-follow>

<sup>27</sup> <https://www.washingtonpost.com/opinions/2021/05/26/why-conservatives-really-fear-critical-race-theory/>

<sup>28</sup> <https://www.cnn.com/videos/politics/2021/05/18/critical-race-theory-explained-carroll-dnt-vpx.cnn>