

FAS-SEAS SENATE

**AN ELECTED BODY OF THE FACULTY OF ARTS
AND SCIENCES AND SEAS**

YALE UNIVERSITY

Report from the FAS-SEAS Governance Committee: Recommendation that the Faculty Handbook Include Robust Statements in Support of Academic Freedom

APPROVED by the FAS-SEAS Senate

October 7, 2025

Problem statement:

The Woodward report (1975) remains the bedrock for freedom of expression at Yale. It articulates that the primary function of a university is “to discover and disseminate knowledge by means of research and teaching.” It further states that a “university must do everything possible to ensure within it the fullest degree of intellectual freedom.” The Woodward report’s primary focus, and the reason the committee was formed in the first place, was to address freedom of expression on the Yale campus. The report mentions academic freedom only three times: twice citing others and once in the context of setting boundaries for free expression at Yale. It argues “Nor should a university feel obligated to go beyond the canons of academic freedom – i.e. non-interference with faculty research and teaching – by providing a forum for un scholarly or socially harmful ideas. It might even be said that an invitation to such a public forum goes beyond mere speech, into the realm of action, and therefore need not be protected the way speech and thoughts are.”

Several years ago, Yale put in place faculty standards of conduct. Although the title of that section of the handbook (Section II) and the preamble for the standards of conduct mention academic freedom, nowhere in the faculty handbook or in the Woodward report are the

principles of academic freedom specifically articulated. This absence has considerable practical and legal implications for faculty at Yale University¹.

The recent conversations about institutional voice and freedom of speech have, at times, conflated free speech and academic freedom, which are distinct principles despite both being critical to academic institutions.² Academic freedom allows faculty to do their job of teaching, research, and service, free of outside interference. It allows faculty to pursue controversial topics in their research and to teach controversial topics in their classroom, as long as those pursuits follow the professional norms and standards of the field of study. Academic freedom depends upon but is separate from free speech, which allows all members of the Yale community to express, without fear of punishment, views that might be unpopular or disfavored by their peers, the public, or university administrators.

Some example statements on academic freedom are included in Appendix A. They range from succinct statements that address narrow definitions of and protections for academic freedom, to statements that broadly address academic freedom and free speech.

Approach:

The FAS-SEAS Senate has examined a number of statements on academic freedom. These include statements by the national AAUP organization as well as statements in faculty handbooks from peer institutions (see Appendix B). We have also examined proposed revisions to the Handbook developed over the spring and summer by an *ad hoc* committee composed of members of the Yale AAUP chapter (plus former Senate chair Mark Solomon) (see Appendix A). The members of this committee were:

- Tarren Andrews (FAS, Ethnicity, Race, and Migration, & Medieval Studies)
- Alessandro Gomez (SEAS – Mechanical Engineering)
- Amy Kapczynski (Yale Law School)
- Chris McGowan (FAS – English)
- Laura Nasrallah (Yale Divinity School and FAS – Religious Studies)
- Robert Post (Yale Law School)
- Mark Solomon (FAS – Molecular Biophysics & Biochemistry)

¹ Lee v. Yale University, No. 23-558, Summary Order, United States Court of Appeals for the Second Circuit, (2023): <https://www.thefire.org/sites/default/files/2023/06/Lee%20v.%20Yale%20-%20Second%20Circuit%20Court%20of%20Appeals%20-%202023.pdf>

² Post, Robert C. *Democracy, expertise, and academic freedom: a First amendment jurisprudence for the modern state*. Yale University Press, 2012.; Finkin, Matthew W., and Robert C. Post. *For the common good: Principles of American academic freedom*. Yale University Press, 2009; Post, Robert C. "The unfortunate consequences of a misguided Free Speech Principle." *Daedalus* 153.3 (2024): 135-148; Chemerinsky, Erwin, and Howard Gillman. *Free speech on campus*. Yale University Press, 2017.

- Dara Strolovitch (FAS – Political Science, American Studies, and Women’s Gender and Sexuality Studies)
- Mimi Yiengpruksawan (FAS – History of Art)

Proposal:

The Governance Committee strongly recommends that Yale incorporate robust support for academic freedom into the Faculty Handbook. While each of the examples in Appendices A and B accomplishes this task to a greater or lesser degree, we join with our colleagues in the Yale AAUP chapter in support of the text changes presented in Appendix A. These statements will support and safeguard faculty teaching and research in these challenging times and further the mission of the university.

FAS-SEAS Senate Governance Committee, 2025 – 2026

- Marijeta Bozovic
- Michael Fischer
- David Post
- Mark Solomon (Chair)
- Meg Urry

Appendix A: Proposed Text for the Faculty Handbook Jointly Supported by the Yale Chapter of the AAUP and the FAS-SEAS Senate

This is a redlined version of the proposed changes to two sections of the July 1, 2025 Faculty Handbook. The original sections are also appended at the end.

Introduction

The purpose of the *Yale University Faculty Handbook* is to present in a convenient form the most important University policies and practices as they apply to the faculties of the University. The policies included and referred to in this *Handbook* form part of the essential employment understandings between members of the faculty and the University.

The *Handbook* is meant to inform and serve members of the administration as well as the faculty. It is available on the [Office of the Provost](#) website. The text of the *Handbook* includes links to University policies and resources available on Yale websites.

Updates to the ~~The~~ Handbook will be made in consultation with a committee of Yale University faculty, to be selected by the FAS-SEAS Senate, as well as by faculty members from each of Yale's professional schools. ~~will be revised as University policies evolve, and a~~ An updated version of the *Handbook* will be posted online so that faculty may stay aware of changes in University policies. A memorandum highlighting significant changes to the *Handbook* will be distributed to faculty with each new edition.

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II. Academic Freedom and Faculty Standards of Conduct

A. University Policy on Academic Freedom and Freedom of Expression

Yale's mission is to improve the world today and for future generations through outstanding research and scholarship, education, preservation, and practice. Academic freedom is necessary to succeed in this mission, and the University affirms its obligation to sustain and protect that freedom.

Academic freedom consists of freedom of research and publication, freedom of teaching in the classroom, freedom to participate in and comment upon matters of university governance, and freedom to speak in public as citizens and public intellectuals. These freedoms enable the University to maintain an ethos that will facilitate the enhancement of knowledge and its effective transmission to students and to the public. The University seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students and faculty are free within the classroom to express the widest range of viewpoints in accord with the standards of scholarly inquiry and professional ethics. The exercise of academic freedom entails correlative duties of professional care, which are set forth in Section IIB, *Faculty Standards of Conduct*.

Faculty members are entitled to freedom in the classroom in presenting and discussing their subject. Faculty and instructional staff members must have primary responsibility for selecting instructional materials, defining course content and determining the methods of evaluating student performance in their classes. They must work in concert with their colleagues to ensure coherence of the curriculum and consistency in applying it, subject to academic standards accepted within the community of scholars and accreditation requirements.

To respect the academic freedom of faculty, who have primary responsibility for conducting the teaching and educational mission of the University, the University will not disestablish an academic department or academic program without prior consultation with a committee of Yale University faculty, to be selected by the FAS-SEAS Senate (for FAS-SEAS departments or programs), or faculty from the professional schools (if departments or programs of the professional schools). In cases of disestablishment faculty shall retain their employment by the University.

The University guarantees rights of academic freedom to all members of the faculty, regardless of rank or tenure status. ~~In~~As the 1975 Woodward Report³ makes clear, the Committee on Freedom of Expression at Yale,¹ chaired by Professor C. Vann Woodward, wrote the following:

The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function a free interchange of ideas is necessary not only within its walls but with the world beyond as well. It follows that a university must do everything possible to ensure within it the fullest degree of intellectual freedom. The history of intellectual growth and discovery clearly demonstrates the need for unfettered freedom, the right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable. To curtail free expression strikes twice at intellectual

³. *Report of the Committee on Freedom of Expression at Yale* (Yale University, January 1975), available at: <https://yalecollege.yale.edu/get-know-yale-college/office-dean/reports/report-committee-freedom-expression-yale>

freedom, for whoever deprives another of the right to state unpopular views necessarily also deprives others of the right to listen to those views.

Members of this University have freely associated themselves with Yale and in doing so have affirmed their commitment to a philosophy of mutual tolerance and respect. Physical restriction, coercion, or intimidation of any member of the community is contrary to the basic principles of the University. Consistent with the right to both free expression and peaceful protest that is recognized in Yale's guidance on free expression and peaceable assembly, it is also a violation of these principles and of the University's rules of conduct for any member of the faculty, staff, or student body to prevent the orderly conduct of a University function or activity, such as a lecture, meeting, interview, ceremony, or other public event. It is similarly a violation of these principles to block the legitimate activity of any person on the Yale campus or in any Yale building or facility.

~~Academic freedom and the spirit of free intellectual inquiry are fundamental to Yale's mission.~~ Faculty members who believe they have been improperly restrained in the exercise of their academic freedom may seek redress under the provisions of Sections III.L, III.M, or III.N of this *Handbook*, depending on the nature of the alleged infringement.

Excerpts from the July 1, 2025 Faculty Handbook.

Introduction

The purpose of the *Yale University Faculty Handbook* is to present in a convenient form the most important University policies and practices as they apply to the faculties of the University. The policies included and referred to in this *Handbook* form part of the essential employment understandings between members of the faculty and the University.

The *Handbook* is meant to inform and serve members of the administration as well as the faculty. It is available on the [Office of the Provost](#) website. The text of the *Handbook* includes links to University policies and resources available on Yale websites.

The *Handbook* will be revised as University policies evolve, and an updated version of the *Handbook* will be posted online so that faculty may stay aware of changes in University policies. A memorandum highlighting significant changes to the *Handbook* will be distributed to faculty with each new edition.

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II. Academic Freedom and Faculty Standards of Conduct

A. University Policy on Academic Freedom and Freedom of Expression

In 1975, the Committee on Freedom of Expression at Yale,¹ chaired by Professor C. Vann Woodward, wrote the following:

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Members of this University have freely associated themselves with Yale and in doing so have affirmed their commitment to a philosophy of mutual tolerance and respect. Physical restriction, coercion, or intimidation of any member of the community is contrary to the basic principles of the University. It is also a violation of these principles and of the University's rules of conduct for any member of the faculty, staff, or student body to prevent the orderly conduct of a University function or activity, such as a lecture, meeting, interview, ceremony, or other public event. It is similarly a violation of these principles to block the legitimate activity of any person on the Yale campus or in any Yale building or facility.

Academic freedom and the spirit of free intellectual inquiry are fundamental to Yale's mission. Faculty members who believe they have been improperly restrained in the exercise of their academic freedom may seek redress under the provisions of Sections III.L, III.M, or III.N of this *Handbook*, depending on the nature of the alleged infringement.

¹ *Report of the Committee on Freedom of Expression at Yale* (Yale University, January 1975), available at: <https://yalecollege.yale.edu/get-know-yale-college/office-dean/reports/report-committee-freedom-expression-yale>.

Appendix B: Statements on Academic Freedom from the National AAUP and from Peer Universities

AAUP statement (<https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure-1970-interpretive-comments>):

Academic Freedom

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.⁴ Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.⁵
3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.⁶

Brown University (https://dof.brown.edu/sites/default/files/FRR.v.21.2024.08.29_POST.pdf):

C. Academic Freedom Academic freedom is essential to the function of education and to the pursuit of scholarship in universities.¹⁰ 1. Therefore, Brown University, mindful of its historic commitment to scholarship and to the free exchange of ideas, affirms that faculty and students alike shall enjoy full freedom in their teaching, learning, and research. 2. Brown University also affirms that faculty and students shall have the freedom of religious belief, of speech, of press, of association and assembly, of political activity inside and outside the University, the right to petition the authorities, public and University, to invite speakers of their choice to the campus, and that students and faculty as such should not be required to take any oath not required of other citizens. The time, place, and manner of exercising these rights on the campus shall be subject to reasonable regulation only to prevent interference with the normal functions of the University.

Columbia

([https://secretary.columbia.edu/sites/secretary.columbia.edu/files/content/University%20Statutes January2022.pdf](https://secretary.columbia.edu/sites/secretary.columbia.edu/files/content/University%20Statutes%20January2022.pdf)):

§70. Academic freedom

a. Academic freedom implies that all officers of instruction are entitled to freedom in the classroom in discussing their subjects; that they are entitled to freedom in research and in the publication of its results; and that they may not be penalized by the University for expressions of opinion or associations in their private or civic capacity; but they should bear in mind the special obligations arising from their position in the academic community.

b. Officers of instruction. As used in this Chapter, “officer of instruction” means any person whose appointment in the Columbia Corporation is primarily for teaching, whether full time or part time, with or without tenure, whatever his or her title or type of appointment held, and whether or not assigned to membership in any Faculty. Where the provisions of this Chapter apply only to full-time officers of instruction, or only to those with tenure, necessary qualification is made.

Cornell (<https://deanoffaculty.cornell.edu/policies-procedures/cornell-policy-statement-on-academic-freedom-and-freedom-of-speech-and-expression>)

The University endorses the ***Faculty Statement on Academic Freedom and Responsibility*** adopted by the University Faculty on May 11, 1960, which provides:

Academic Freedom for the Faculty means: Freedom of expression in the classroom on matters relevant to the subject and the purpose of the course and of choice of methods in classroom teaching; from direction and restraint in scholarship, research, and creative expression and in the discussion and publication of the results thereof; to speak and write as a citizen without institutional censorship or discipline.

Academic freedom is valued very highly at Cornell, and the University Faculty defends it tenaciously; nevertheless, the same University Faculty is disinclined to see the concept abused. Academic freedom does not imply immunity from prosecution for illegal acts of wrongdoing, nor does it provide license for faculty members to do whatever they choose.

The University recognizes that academic freedom also encompasses the freedom to address any matter of institutional policy or action whether or not as a member of any institutional governance body. The University further affirms that “a faculty member’s expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member’s unfitness to serve. Extramural utterances rarely bear upon the faculty member’s fitness for continuing service. Moreover, a final decision should take into account [the faculty member’s entire record as a teacher and scholar.](#)” See [AAUP 1940 Statement of Principles of Academic Freedom and Tenure, with 1970 Interpretive Comments, note 6.](#)

Stanford (<https://doresearch.stanford.edu/policies/research-policy-handbook/conduct-research/academic-freedom>)

University of Michigan (<https://facultyhandbook.provost.umich.edu/1-c-senate-assembly-statement-on-academic-freedom/>):

1.C Senate Assembly Statement on Academic Freedom

In January 2010, the Senate Assembly endorsed a statement that defines the standards of academic freedom as follows.

Academic freedom is the liberty that faculty members must have if they are to practice their scholarly profession in accordance with the norms of that profession. Academic freedom is not a term or a condition of employment; rather, it is based in the institutional structure of this and other universities and is fundamental to their common mission of promoting inquiry and advancing the sum of human knowledge and understanding. Although some aspects of academic freedom are also protected by the First Amendment to the United States Constitution, academic freedom exists, independent of any external protection, as a basic prerequisite for universities to fulfill their mission to our society. Academic freedom is most commonly vindicated by individual faculty members, but remains first and foremost a professional prerequisite of faculty members as a group.

Academic freedom includes the following specific freedoms:

- *freedom of research and publication. Within the broad standards of accountability established by their profession and their individual disciplines, faculty members must enjoy the fullest possible freedom in their research and in circulating and publishing their results. This freedom follows immediately from the university's basic commitment to advancing knowledge and understanding. Restrictions on research and publication should be minimal and unobtrusive.*
- *freedom of teaching. This freedom is an outgrowth of the previous one. Faculty members must be able not only to disseminate to their students the results of research by themselves and others in their profession, but also to train students to think about these results for themselves, often in an atmosphere of controversy that, so long as it remains in a broad sense educationally relevant, actively assists students in mastering the subject and appreciating its significance.*
- *freedom of internal criticism. Universities promote the common good not through individual decision or bureaucratic calculation, but through broad-based engagement in the scholarly endeavor. Faculty members, because of their education and their institutional knowledge, play an indispensable role as independent participants in university decision making. By virtue of this role, they are entitled to comment on or criticize University policies or decisions, either individually or through institutions of faculty governance.*

- *freedom of participation in public debate. Both within and beyond their areas of expertise, faculty members are generally entitled to participate as citizens in public forums and debates without fear of institutional discipline or restraint, so long as it is clear that they are not acting or speaking for the University.*

Since academic freedom derives from the institutional structure of American universities, it is qualified in various respects. However, when academic freedom is so qualified, it is of critical importance that restrictions be drawn up and implemented with substantial faculty input, in such a way as to minimize infringement of academic freedom. In large part, this goal should be accomplished by ensuring that institutional discipline of faculty members is in proportion to the severity and persistence of misconduct, and by insisting that alleged offenses be handled with appropriate standards of due process, including, wherever possible, the judgment of competent peers. For the rest, however, it must be recognized that contemporary threats to academic freedom are constantly evolving. This University — its faculty, administration, and students alike — must exercise constant vigilance in resisting such threats, whether they arise within the university or from outside.

University of Virginia (<https://faculty-handbook.provost.virginia.edu/3-1-academic-freedom>):

The University endorses the statement on Academic Freedom within the [1940 Statement of Principles of the American Association of University Professors](#).

A widely adopted professional standard, it states:

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; ...

2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. [The footnote from the 1970 Interpretative Notes on the AAUP Statement reads: "The intent of this statement is not to discourage what is 'controversial.' Controversy is at the heart of free academic inquiry which the entire statement is designed to foster. The passage serves to underscore the need for teachers to avoid persistently intruding material which has no relation to the subject."] ...

3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

The Faculty Senate approved the following statement:

Faculty academic freedom is the freedom to teach; to explore all avenues of scholarship, research, and creative expression and to disseminate the results; and to speak or write on any matter of public concern and on any matter related to professional duties and the functioning of governance of the University. Academic faculty have the free speech right to address in any forum any matter that is of social, political, economic, or other interest to the larger community, without restraint beyond that imposed by professional standards and ethics or by law. (from UVA Faculty Senate minutes, 2013)

In June 2021, the University of Virginia Board of Visitors formally adopted a statement put forward by a Committee on Free Expression and Free Inquiry. The full text of the statement may be found on the UVA Free Speech [website](#). The UVA Free Speech website also includes [Freedom of Speech FAQs](#) and a [catalog of Policies & Regulations](#) pertaining to free speech.

University of Wisconsin – Madison (<https://policy.wisc.edu/library/UW-808>):

8.01. Faculty Rights.

- A. Members of the faculty individually enjoy and exercise all rights secured to them by the Constitutions of the United States and the State of Wisconsin, and by the principles of academic freedom as they are generally understood in higher education, including professional behavior standards and the expectation of academic due process and just cause, as well as rights specifically granted to them by: regent action, University of Wisconsin System rules, these policies and procedures, and relevant practices or established custom of their colleges or schools and departments.
- B. Academic freedom is the freedom to discuss and present scholarly opinions and conclusions regarding all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to reach conclusions according to one's scholarly discernment. It also includes the right to speak or write-as a private citizen or within the context of one's activities as an employee of the university-without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties, the functioning of the university, and university positions and policies.
- C. Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest or concern, one is speaking on behalf of oneself, not the institution.
- D. In any consideration of matters of tenure and academic freedom, the following statement of policy is relevant. It was enunciated at the time of the previous codification of the Laws and Regulations of the University of Wisconsin by the Regents of the University of Wisconsin on January 10, 1964. "In adopting this codification of the rules and regulations of the University of Wisconsin relating to tenure, the Regents reaffirm their historic commitment to security of professorial tenure and to the academic freedom it is designed to protect. These rules and regulations are promulgated in the conviction that in serving a free society the scholar must himself be free. Only thus can he seek the truth, develop wisdom and contribute to society those expressions of the intellect that ennoble mankind. The security of the scholar protects him not only against those who would enslave the mind but also against anxieties which divert him from his role as scholar and teacher. The concept of intellectual freedom is based upon confidence in man's capacity for growth in comprehending the universe and on faith in unshackled intelligence. The university is not partisan to any party or ideology, but it is

devoted to the discovery of truth and to understanding the world in which we live. The Regents take this opportunity to rededicate themselves to maintaining in this university those conditions which are indispensable for the flowering of the human mind.”

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8.02. Faculty Duties and Responsibilities.

- A. **Fundamental Responsibilities.** The university faculty are responsible for teaching, research or other scholarly activity appropriate to the discipline, and public service. Furthermore, every faculty member has an obligation to maintain professional honesty and integrity, to seek knowledge and to share that knowledge freely with others. No member of the faculty shall be absent from their classes or other regular duties at the university except by the permission of the chancellor or appropriate dean. Faculty members shall avoid a concentration of class hours that is detrimental to effective teaching. It is the responsibility of faculty members to carry out duties assigned by the department, and to share in the governance of the institution as a whole.
- B. **Attendance at Meetings.** It is the duty of faculty members to attend departmental, school or college, and university faculty meetings.