

TO: University of Toledo Faculty Senate  
FROM: Faculty Senate Executive Committee  
RE: Resolution: Defending Academic Freedom to Teach About Race and Gender Justice and Critical Race Theory  
Date: tba

RATIONALE:

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

**WHEREAS** the Faculty Senate Constitution affirms the responsibility and jurisdiction of Faculty Senate in protecting academic freedom.

**WHEREAS** the American Association of University Professors' [1940 statement of Principles on Academic Freedom and Tenure](#) states that "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...[They] 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."

**WHEREAS** faculty have responsibility for the curriculum at their universities, as stated in the University of Toledo Faculty Senate Constitution [Article II.E: "Subject to the supervision and control of the Board of Trustees of the University as delegated through the academic administration, to exercise responsibility for the academic affairs of the University, including: the academic rules, regulations, policies and standards regarding undergraduate students; the standards for granting of degrees, honors and awards; and the oversight of student development and progression."]

**WHEREAS** the term "divisive" is indeterminate, subjective, and chills the capacity of educators to explore a wide variety of topics based on subjective criteria that are in opposition with the goals of education and the development of essential critical thinking skills.

**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) 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 one of the University of Toledo’s values is diversity.

**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 LGBTQI history and the policies that contributed to inequities, the University of Toledo has a responsibility and opportunity to help build equity and social justice.

RESOLUTION:

**THEREFORE BE IT RESOLVED** that the Faculty Senate of the University of Toledo 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 the Boards of Trustees.

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

**BE IT FURTHER RESOLVED** that Senate calls upon President Postel and Provost Bjorkman 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 the Boards of Trustees.

**BE IT FURTHER RESOLVED** that 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:

! Scholarly Groups Condemn Laws Limiting Teaching on Race  
(New York Times, June 16, 2021)

! 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)

! 

