Félix V. Matos Rodríguez, Chancellor of the City University of New York

Michelle J. Anderson, President, Brooklyn College

April Bedford, Provost and Senior Vice President for Academic Affairs, Brooklyn College

Russell K. Hotzler, President, City Tech

Pamela Brown, Provost and Vice President for Academic Affairs, City Tech

Nancy Cantor, President, Hunter College

Manoj Pardasani, Provost and Senior Vice President for Academic Affairs and Student Success,

Hunter College

Karol Mason, President, John Jay College

Allison Pease, Provost and Vice President of Academic Affairs, John Jay College

Dear Chancellor Matos Rodríguez et al:

I am writing on behalf of the <u>Professional Staff Congress Academic Freedom Committee</u>. Our charge is to defend academic freedom as a professional and contractual right of all CUNY professional staff. Academic freedom is grounded in the faculty or staff member's qualifications for the position as reviewed by their peers. It consists of the freedom to teach, research, write, and to speak in our capacity as community members without restraint by the administration.

We are gravely alarmed by a situation that, based on the information available to us, appears to be not just an outrageous violation of our contractual right to academic freedom, but also an abrogation of the most fundamental principles of faculty governance and indeed of academic work itself. In a resolution that was passed unanimously on June 26, the PSC's elected Delegate Assembly made it clear that this ongoing situation "sets a dangerous precedent that chills free speech, undermines faculty governance, and signals to faculty and students alike that political expression and activity outside the classroom is punishable." As PSC President James Davis noted in his letter to Chancellor Matos Rodríguez on June 30, "This situation has all the appearances of an ideological purge."

On June 13, three Brooklyn College adjunct faculty members in different departments were notified by Human Resources that they had been non-reappointed. The notifications followed a similar notification to an adjunct faculty member some days earlier, terminating the instructor for cause. In each case, the Appointments Committee and department chair had approved the instructor's reappointment. In no case was the job performance of the instructor evaluated as unsatisfactory; on the contrary, over the years they have all proven themselves to be exemplary instructors with high student evaluations. In no case did the college inform the instructor or the department chair of a misconduct finding that could warrant such an action. In no case was the chair notified in advance. All of this is, as you all know, highly irregular.

In all cases, the classes in question remained on the schedule with student enrollment, but the instructors were let go. Three of the affected adjunct faculty members also had Fall teaching appointments at City Tech, John Jay College, and Hunter College; these classes were also immediately revoked. To our understanding, this example of simultaneous non-reappointment of faculty members across multiple campuses is almost unprecedented. No reasons were provided for the non-reappointments; and yet, there is a clear and insidious pattern at play here.

While the unexplained non-reappointment of teaching adjuncts is itself not unusual at CUNY, the synchronicity of these non-reappointments across BC and other CUNY colleges is deeply concerning. What these four instructors, who lost their CUNY jobs across four different colleges at the same time, all have in common is their advocacy for Palestinian rights, as well as the fact that all four are dedicated union activists. The likelihood that these four instructors were fired for exercising their contractually (and Constitutionally) protected right to political expression and collective organizing is what brings an already disturbing fact pattern to the level of a seeming political purge that could be reasonably compared with the abuses of the McCarthy era.

We note that our letter follows multiple requests for further information from Professors Mobina Hashmi and Joseph Entin, the Brooklyn College PSC Chapter Co-Chairs, and from Professor Timothy Shortell, the Brooklyn College Contract Enforcement Officer, to Provost April Bedford. It also follows the letter from PSC President Davis to Chancellor Matos Rodríguez cited above, as well as a letter to President Anderson from the University Faculty Senate Executive Committee and the Co-Chairs of the UFS Academic Freedom Committee, both dated June 30. As of this writing, there has been no substantive response to any of these communications, no further information provided, and no attempt to address the highly irregular and deeply chilling pattern of facts.

Absent any further information, the facts of the matter speak for themselves, and they point to an outrageous violation of the academic freedom rights of our adjunct colleagues. This violation is all the more egregious because it exploits and compounds CUNY's insistence on maintaining the contingent nature of part-time faculty appointments.

We remind you that the circumstances here point to a direct violation of our contractual right to academic freedom as PSC-CUNY members employed by CUNY. This right is enshrined in the Preamble to the CUNY contract, which we quote in full:

WHEREAS, CUNY and the PSC seek to maintain and encourage, in accordance with law, full freedom of inquiry, teaching, research and publication of results, the parties subscribe to Academic Freedom for faculty members. The principles of Academic Freedom are recognized as applicable to other members of the Instructional Staff, to the extent that their duties include

teaching, research and publication of results, the selection of library or other educational materials or the formation of academic policy.

We also remind you that CUNY's Manual of General Policy Article 1.02 states, "The City University of New York should remain a forum for the advocacy of all ideas protected by the First Amendment to the Constitution and the principles of academic freedom." For over fifty years, it has been CUNY policy to adhere to the purpose of 1940 AAUP statement of principles as quoted in Article 1.02.

CUNY's policy has also followed the AAUP's basic principle that academic freedom, like all rights to free inquiry and expression as they relate to academic work, is an indivisible right that admits no distinctions between job titles or full- or part-time status. This was explicitly affirmed by the AAUP in its 2018 "Recommended Institutional Regulations on Academic Freedom and Tenure," which state: "there should be no invidious distinction between those who teach and/or conduct research in higher education, regardless of whether they hold full-time or part-time appointments or whether their appointments are tenured, tenure-track, or contingent. All faculty members should have access to the same due-process protections and procedures."

The AAUP has also consistently and forcefully insisted upon the need for university managers to respect and uphold the principles of faculty governance in all matters related to academic freedom, and more specifically in all matters relating to the appointment, reappointment, tenure, and promotion process. This is strongly affirmed in the AAUP's 1994 statement "On the Relationship of Faculty Governance to Academic Freedom," which states: "The governing board and president should, on questions of faculty status, as in other matters where the faculty have primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail." [emphasis added]

We note these statements in order to remind you that the AAUP also has a process by which the administrations of institutions who violate the generally recognized principles of academic freedom and tenure are <u>officially censured</u>. Such a censure, which indicates to AAUP members and the profession at large that unsatisfactory conditions of academic freedom and tenure have been found to prevail at these censured institutions, is a very serious matter. Among other things, many AAUP members consider it to be their duty to refrain from accepting appointments to an institution so long as it remains on the censure list, or to assist such an institution in hiring new faculty or other academic employees.

Most recently, in April 2025, the AAUP censured Muhlenberg College after finding grave violations of the constitutional rights and academic freedom of Professor Maura Finkelstein, a tenured associate professor and department chair, "in retaliation for her exercise of academic freedom and her rights as a citizen," specifically regarding her political expression that involved

advocacy for Palestinian rights. The non-reappointment and termination of our four adjunct colleagues seems to follow a similar pattern of retaliation. Therefore, if the relevant members of CUNY's administration fail to reverse these non-reappointment and termination decisions, we shall have no choice but to recommend that the <u>AAUP's Committee A on Academic Freedom and Tenure</u> open an investigation towards such a censure of CUNY's administration.

For all these reasons, we join the leadership of the PSC, the PSC's elected Delegate Assembly, and the membership of the Brooklyn College PSC chapter in demanding the immediate reinstatement of these four faculty members to the Fall 2025 schedule, coupled with an immediate explanation to the affected department chairs. We await your prompt response and expect this matter to be addressed with the requisite urgency.

Sincerely,

Anthony Alessandrini, Chair On behalf of the Professional Staff Congress Academic Freedom Committee

CC: Professor James Davis, President, PSC-CUNY and PSC-CUNY Principal Officers Professors Stuart Davis and Emily Schnee, on behalf of the PSC Executive Committee Faye Moore, PSC-CUNY Director of Contract Enforcement

Professor Lynne Turner, Vice President for Part-Time Personnel and Chair of PSC-CUNY Committee for Adjuncts and Part-Timers

Professors Mobina Hashmi and Joseph Entin, Co-Chairs, Brooklyn College PSC-CUNY Chapter Professors Beth Evans and Hollis Glaser, Co-Chairs, University Faculty Senate Academic Freedom Committee

Joshua C. Brumberg, President, CUNY Graduate Center Ari Paul, Editor of *Clarion*