

December 12, 2025

Félix V. Matos Rodríguez, Chancellor of the City University of New York
Alicia M. Alvero, Interim Executive Vice Chancellor and University Provost
Derek Davis, Senior Vice Chancellor for Legal Affairs and General Counsel

Dear Chancellor Matos Rodríguez, Vice Chancellor Alvero, and Vice Chancellor Davis:

I am writing on behalf of the [Professional Staff Congress Academic Freedom Committee](#). 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 write with grave concerns about CUNY's "Presentation of Title VI of the Civil Rights Act of 1964," a video presentation that is part of the Title VI training now required for all full-time CUNY employees. As educators dedicated to anti-racist pedagogy, we of course recognize the importance of civil rights law, and the role of Title VI in particular. At the same time, we strongly object to "the weaponization of civil rights law," to quote the title of [a recent MESA-AAUP report](#), by right-wing forces that are actively hostile to the original intentions of the Civil Rights movement.

This weaponization of Title VI has been aimed in particular at repressing campus speech related to Palestine, at CUNY and elsewhere. Civil rights laws that were designed to desegregate universities and create equitable and inclusive learning environments are also being wielded by the Trump Administration to attack diversity, equity, and inclusion (DEI) programs, and anti-racist pedagogy more broadly. **Whether intentionally or unwittingly, CUNY management's "Presentation of Title VI of the Civil Rights Act of 1964" and the current design of this mandated Title VI training effectively support Trump's ideological campaign against academic freedom, against DEI and anti-racist pedagogy, and against universities more generally.**

"Presentation of Title VI of the Civil Rights Act of 1964," which purports to address speech, writing, and other forms of expression by CUNY employees inside the classroom, on campus, and in off-campus life, represents a serious threat to the academic freedom and freedom of expression rights of CUNY faculty, staff, and students. Like [other recent statements](#) issued by CUNY management, it also contains serious mischaracterizations, omissions, and distortions of the contractually-protected academic freedom of PSC members.

One major problem is that the training video provides an overly broad and vague description of possible scenarios that should prompt students to file complaints against faculty. One example given of an actionable scenario is "feeling uncomfortable in class due to race or differing beliefs, leading to non-participation." In the video, a student describes a scenario in which a class discussion "made me really uncomfortable...because my beliefs differ from the majority view." **By equating discomfort with harm, the training undermines an instructor's ability to teach subjects that challenge deeply held beliefs of students.** This directly infringes upon the

academic freedom to teach without fear of censorship or discipline. Furthermore, it violates the very purpose of a college education, which is to expand students' intellectual and moral horizons.

Strikingly, the video is at odds with the recent CUNY-wide message sent by Dr. Alvero, in her role as University Provost, on November 26. Dr. Alvero's message offers a welcome reminder: "Our students grow when they are challenged to question assumptions, engage in difficult conversations, and explore controversial topics." **Her message also includes a statement that very clearly contradicts (as it should) the assertions made in the Title VI training video: "I would like to highlight that *students feeling uncomfortable during discussions covered by academic freedom is not the same as being subjected to discrimination*" (emphasis added).**

The Title VI training tries to avoid this contradiction by insisting that academic freedom in the classroom should be narrowly interpreted to exclude classroom discussions that "veer off topic" (to quote the video). However, as we noted in our recent statement ["Some Truths About Academic Freedom at CUNY,"](#) the [AAUP has defined academic freedom in the classroom](#) much more broadly, emphasizing "the right of the faculty to select the materials, determine the approach to the subject, make the assignments, and assess student academic performance in teaching activities for which faculty members are individually responsible." **Attempts by CUNY management to impose its own narrow definition of "relevance" thus violate a fundamental aspect of our academic freedom: instructors have the authority to determine and establish appropriate parameters for class discussions.**

In another scenario that we are told is actionable, a student describes encountering protests on campus that "make me really uncomfortable based on my shared ancestry." This is an indirect but transparently obvious reference to campus protests related to Palestine, in particular protests against the ongoing U.S.-funded Israeli genocide in Gaza. In this instance, the training video encourages an interpretation of reportable "violations" of Title VI that directly contradicts information provided by the video itself: first, that such protests are protected by First Amendment rights to freedom of speech, expression, and gathering; second, that "offensive speech standing alone is insufficient to establish a hostile environment in violation of Title VI." **In effect, this video states that this example of speech and political expression is NOT actionable under Title VI while nevertheless encouraging students and employees to file complaints against such protests.**

As with speech in the classroom, the mere perception of the complainant is treated as sufficient grounds for the attribution of harmful intent. **Given the latitude provided to potential complainants, and the fact that CUNY's online portal for reporting complaints is open to the public, the flagrant misuse of the directives set out in this video to suppress legitimate political expression is almost guaranteed.**

Furthermore, this training, like other recent statements by CUNY management, makes the claim that academic freedom is "not absolute." Rather, faculty who engage in controversial topics are told to do so in ways that avoid "language or actions that can be *perceived* as discriminatory." Not only must faculty censor themselves to guard against mere perception; the video also encourages them to provide counterpoints during class discussions of controversial material in

order to create “balanced discourse.” **This framing, which echoes the broader, right-wing push for [“viewpoint diversity,”](#) is a direct attack on academic freedom.** By forcing faculty to provide “balanced” viewpoints, it calls their scholarly expertise into question by treating it as just one opinion among many.

In fact, the entire section entitled “Managing Classroom Discussion” has no place in a Title VI training video, since it addresses classroom speech that (as the video itself makes clear) is protected by academic freedom and free speech rights and is thus in no way actionable under Title VI rules. If CUNY management wishes to provide faculty with optional guidance on how to manage their classrooms, they have a right to do so. But including this section, with its demands for creating “balanced” discussions, in a mandated Title VI training intentionally obfuscates the boundaries of academic freedom. **It thus creates a chilling effect by sending a clear message: if you want to be safe, avoid controversy, or you may get reported.**

The vagueness of the terms deployed in the training video, and the inclusion of information that has little or nothing to do with Title VI, are at the heart of this obfuscation. As noted above, the repeated use of the word “uncomfortable,” which is often opposed to “safety,” is both insidiously vague and functions to chill free expression. Similarly, the use of the word “alienate” (“Faculty have the freedom to teach and discuss controversial topics, but this right comes with the obligation to engage in a manner that does not alienate or discriminate against any member of the CUNY community”) is broad and unclear, and functions once again to curb academic freedom in the classroom. The term “hostile environment,” which has a very specific legal definition, is left completely undefined even as it is used repeatedly in the video. And as the [recent statement](#) by the CUNY Alliance to Defend Higher Education (CADHE) notes, the training includes detailed information about the Supreme Court decision in *Garcetti vs. Ceballos*, which limits free expression by government employees, but then makes it clear that subsequent court rulings have exempted those who teach at public higher education institutions from these limitations. If *Garcetti* is irrelevant for CUNY’s purposes, why mention it at all beyond the desire to seed fears of punishment for speech inside and outside the classroom?

In a similar vein, we are deeply alarmed by CUNY management’s efforts, through this video, to curtail speech and protest off campus. The training urges faculty to think about the impact that their extramural speech and actions could have on the campus community. But it goes even further by encouraging students to investigate the social media of faculty. Not only will this foster a poisonous culture of surveillance, CUNY also claims the right to take unspecified “non-disciplinary actions” against faculty and staff for their private speech on social media platforms. **We reject this dangerous and unprecedented extension of administrative authority well beyond the bounds of the institution.**

Finally, we strongly object to the video’s emphasis upon CUNY’s online reporting system—via an online portal that did not even exist before 2023—as the *only* recommended way for students or employees to report a complaint, or even a *concern*, regarding discrimination or retaliation based on race, color, national origin, or shared ancestry. The “Knowledge Check” section of the training, which an employee must answer correctly in order to successfully complete the training, goes so far as to suggest that other avenues for reporting or resolving

complaints—including “speaking with their supervisor” or “reaching out to Human Resources”—are “incorrect” responses; the only “correct” response is to use the online portal.

As the [CADHE statement](#) rightly notes, by sending all complaints (or even concerns) to the online portal, CUNY management “violates its own Policy 5.20 of the Manual of General Policy, which explicitly lays out how student complaints of faculty are to be addressed, and simultaneously provides due process for all parties involved, includes an appeals process, and privileges the protection of academic freedom in such proceedings.” **This attempt to bypass existing policies and procedures, including those in place for [student grievances of faculty conduct](#), is a clear instance of management’s ongoing effort to undermine the principles of faculty governance and academic freedom.** As the CADHE statement concludes, “The university’s Title VI training, which is not policy, ignores and upends the very principles of academic freedom and due process that Policy 5.20 lays out.”

The attempt to make CUNY’s online reporting system the only mode through which to address Title VI complaints and concerns is deeply problematic for all the reasons listed above. **However, the threat it poses to academic freedom is exponentially greater in light of CUNY management’s [Voluntary Resolution Agreement with the Office of Civil Rights](#), which mandates the sharing of personal information from all complaints received via the online portal to the federal government.** This crucial fact is not mentioned at all in this training video. As we noted in [our previous letter regarding the OCR agreement](#), the Trump Administration has [used information provided by colleges and universities](#) to arrest, detain, and deport students and scholars throughout the country. **Under these circumstances, it is unconscionable for CUNY management to mandate a training that aims to funnel all discrimination concerns into a portal and then share that information with the federal government. This has every appearance of direct complicity with the Trump Administration’s [“ideological deportation campaign.”](#)**

All these directives add up to a clear message: at CUNY, academic freedom and free speech will not be protected. Rather, in the name of enforcing civil rights law, faculty, staff, and students are being mandated to curtail their speech and actions to avoid even the perception of harm. **At a time when academic freedom and the right to speech and protest have never been more important, CUNY’s guidance on Title VI undermines these cornerstones of university and democratic life.**

For all these reasons, the current version of the mandated Title VI training is fatally flawed. If CUNY management feels compelled to provide employees with information regarding Title VI, it is obligated to do so in a way that does not impinge upon the academic freedom and right to free expression of CUNY students, staff, and faculty.

Therefore, we urge you to pause this mandated training until this video, and the training more generally, can be redesigned in a way that helps CUNY employees understand the application of civil rights law *without* undermining the contractually-protected academic freedom rights of PSC members. In particular, we strongly suggest that Vice Chancellor Davis and other members of CUNY management responsible for this training meet with faculty and staff representatives from the PSC, the University Faculty Senate Academic

Freedom Committee, and CADHE. The redesigning of this Title VI training should be carried out in close collaboration with faculty and staff representatives from the PSC, UFS-AFC, and CADHE. For those full-time faculty and staff who have already completed the training as required, an addendum should be sent to them correcting the points made in the training that either infringe upon the rights to free expression and academic freedom or are irrelevant to understanding the application of Title VI. The members of our committee are more than willing to help in the work of redesigning this training.

We look forward to your immediate and affirmative response to this letter.

Sincerely,

Anthony Alessandrini, Chair

On behalf of the PSC-CUNY 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

Professors Beth Evans and Hollis Glaser, Co-Chairs, University Faculty Senate Academic Freedom Committee

Professors Jonathan Cornick and Ernest Ialongo, on behalf of The CUNY Alliance to Defend Higher Education

Ari Paul, Editor of *Clarion*

Professors Lara Deeb and Darryl Li, Co-Chairs, MESA Task Force on Civil and Human Rights

Professor Todd Wolfson, President, American Association of University Professors

NOTE: A copy of this letter is also being forwarded to all PSC-CUNY Campus Chapter Chairs and all members of the CUNY Council of Faculty Governance Leaders