

LEHMAN COLLEGE
ACADEMIC FREEDOM COMMITTEE

Minutes of the committee meeting
12 Sept 2025

Present: Diane Auslander, Duran Fiack, Kevin Johnson, David Manier (chair), Richard Relkin, Mohan Vinjamuri
Guests: Bridget Barbera, Sarah Ohmer

1. A quorum having been established, and minutes of the preceding meeting having been previously approved via email, the (online) meeting was called to order by Prof. Manier at 12:00 p.m.
2. With no other candidates being nominated, Prof. Manier was re-elected as chair.
3. We discussed and all agreed that (consistent with our bylaws) the main focus of this committee is advising the Senate on issues related to academic freedom at Lehman College, not broader issues at the state, national, or international level.
4. We reviewed our discussions from last year related to the Biology Department and multi-component courses, where multiple adjunct professors had complained about their academic freedom being violated. We considered the possibility of drafting a report or resolution to mitigate such incidents going forward.
5. We discussed issues at CUNY related to Title VI and IX coordinators and the possibility of some accusations (e.g., related to antisemitism) being weaponized, particularly in the context where some accusations can be made anonymously. We discussed the possibility of issuing a report to the Lehman Senate related to these issues. Prof. Ohmer suggested that we present the attached appendix to the Senate along with these minutes.
6. Prof. Manier advised the committee that (according to a University Faculty Senate discussion) CUNY administration (outside of Lehman) has recently used the Henderson Rules to discipline faculty. In particular, there is concern among faculty about how Rule #2 (lawful directions from officers must be followed) and Rule #7 (disorderly or indecent conduct is prohibited) have been interpreted and applied by CUNY.
7. Prof. Manier also led a discussion related to campus counsels now reporting directly to General Counsel Derek Davis and what this might portend.
7. There being no further business, the meeting was adjourned at 1:30 pm.

Respectfully submitted,
David Manier, Assoc. Professor
Chair and Secretary Pro Tempore

Cc: Sophia Diamantis-Fry

From:

<https://www1.cuny.edu/sites/cunyufs/committees/senate/standing/academic-freedom/statement-2009/>

Appendix: How You Can Respond to Threats Against Your Academic Freedom

If you think your academic freedom has been violated or is at risk, the very first thing to do is call the PSC-CUNY (212-354-1252) and ask to speak to a grievance counselor. Many violations of academic freedom are also violations of the Collective Bargaining Agreement (the contract). Grievances of contractual violations are, however, “time limited.” That is, they must be filed officially within 30 working days of the date you or the union becomes aware of them. A grievance simply protects your rights and allows you to consider the best way to address your concerns, both as an individual and collectively on your campus. So don’t wait to file!

Nationally, the organization Free Exchange on Campus, a coalition including the AAUP, ACLU, AFT, and the United States Student Association, works to support the academic freedom of faculty and to counter political attacks on academic freedom. The AFT has set forth standards of academic freedom in teaching, research and publication, participation in institutional governance, and freedom in public life. The AFT urges faculty to protect and defend their academic freedom by initiating dialogues on campus and among policymakers and the public, as well as negotiating practices that support academic freedom and political and legislative work (Resources, 4).

The University Faculty Senate recommends that each college establish its own local academic freedom committee. Such a committee can monitor cases brought under the new procedures for handling student complaints and can provide a pool of faculty to serve on the appeals committees provided for in the procedures. Campus committees can also monitor, examine and report annually to the faculty on the status of academic freedom at their colleges, investigate possible violations, and address issues and make recommendations regarding academic freedom. Faculty members can also bring cases of possible academic freedom violations or relevant inquiries to the Academic Freedom Committee of the University Faculty Senate and to the Professional Staff Congress of CUNY (PSC-CUNY) (Resources, 3).

Academic freedom is a major concern of the Professional Staff Congress as well. The PSC has an Academic Freedom Committee which monitors University policy and practice in this area, and which answers questions regarding academic freedom concerns and works with individual faculty and faculty governance bodies in protecting faculty rights (Resources, 2).

The PSC’s Collective Bargaining Agreement (CBA) and its grievance procedures offer the most effective protections available for academic freedom. The Agreement’s preamble pledges that both management and the union will protect academic freedom: “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.” Contractual remedies for alleged violations include due process in disciplinary cases, the requirement to provide reasons in negative personnel decisions, and the CBA Article 8 guarantee of adherence to nondiscrimination and other Federal laws. Alleged academic freedom violations can also be addressed using faculty governance authority recognized in CUNY BoT Bylaw ¶8.6. Faculty members should familiarize themselves with Article 21, “Disciplinary Actions,” of the CBA (<http://psc-cuny.org/>), and with Section 7, “Academic Due Process,” of the CUNY BoT Bylaws (<http://policy.cuny.edu/toc/btb/>).

If you think that your academic freedom is under attack or is being violated, please consult your campus academic freedom committee, the UFS office, your campus or PSC grievance counselor, or the PSC Academic Freedom Committee. You should do this without delay, as certain remedies, such as the filing of a grievance, have a 30-day deadline. The UFS and the union are pledged to assist you in whatever ways they can. Faculty members can also bring violations of academic freedom to the attention of the AAUP (202-737-5900) (Resources, 1).

Resources

1. [American Association of University Professors](#). (202-737-5900). Accessed 7/22/09.
2. [Professional Staff Congress/CUNY](#). (212-354-1252). Accessed 7/22/09.
3. University Faculty Senate. (646-664-9035). Accessed 7/22/09.

Statements by the AAUP

5. 1915 Declaration of Principles on Academic Freedom and Academic Tenure. AAUP Policy Documents & Reports. Tenth Edition. Baltimore: AAUP and Johns Hopkins UP, 2006. Appendix I, 291-301.
6. [1940 Statement on Academic Freedom and Tenure](#). 1940, 1969, 1989, 1990. Accessed 7/22/09.
7. [Statement on Government of Colleges and Universities](#). 1967, 1990. updated, 8/17/17
8. [1958 Statement on Procedural Standards in Faculty Dismissal Proceedings](#). 1958, 1989, 1990, updated, 8/17/17.
9. [Statement on Procedural Standards on the Renewal or Non-Renewal of Faculty Appointments](#). 1971, 1989. Updated 8/17/17.
10. [Recommended Institutional Regulations on Academic Freedom and Tenure](#). See especially Section 13, "Part-Time Faculty Appointments." 1957, 1968, 1972, 1976, 1982, 1990, 1999, 2005, 2006. Accessed 7/22/09.
11. [Joint Statement on Rights and Freedoms of Students](#). 1967, 1990, 1991, 1992. Updated 8/17/17.
12. On the Relationship of Faculty Governance to Academic Freedom. 1994. AAUP Policy Documents & Reports. Tenth Edition. Baltimore: AAUP and Johns Hopkins UP, 2006. 141-144.
13. "Freedom in the Classroom." *Academe* September-October 2007, 54-61. <http://www.aaup.org/AAUP/comm/rep/A/class.htm>. Accessed 7/22/09.

Other Statements and Procedures

14. "Academic Freedom in the 21st-Century College and University: Academic Freedom for All Faculty and Instructional Staff." [The AFT Statement on Academic Freedom, September 2007](#). Updated 8/17/17.
15. [The City University of New York—Student Complaint Procedure](#). 2007. Updated 8/17/17.
16. PSC Statement about CUNY Portal for Discrimination. <https://psc-cuny.org/news-events/your-rights-cuny-portal-for-discrimination-and-retaliation-complaints/> Published March 7, 2025.