



*Affiliated with Texas AFT*



---

VIA ELECTRONIC MAIL

November 19, 2024

President Harrison Keller  
Chancellor Michael R. Williams  
University of North Texas  
Denton, TX

Dear President Keller and Chancellor Williams,

The Texas Conference of the American Association of University Professors (“TX AAUP”), Texas Faculty Association (TFA), and the Texas Association of College Teachers (TACT) express utmost concern over the current state of academic freedom at the University of North Texas (UNT). In particular, we are deeply concerned about the censorship of the content of more than 200 academic courses by the UNT Central Administration and UNT System [1]. For example, the UNT Administration unilaterally scrubbed words such as “race,” “gender,” “class” and “equity” from undergraduate and graduate course titles and descriptions. [2] In order for students to have the freedom to learn, faculty must have the freedom to teach. Having the UNT Administration censoring course content violates UNT's policy as well as professional standards on academic freedom [3] and shared governance [4], and could put university accreditation at risk.

TX AAUP is an affiliate of the National AAUP, an organization that for over 100 years has set the “gold standard” for the principles of Academic Freedom and Tenure in higher education. Over 85% of public and non-profit private universities in the US adopt these principles. The principles were jointly formulated with the college and university Presidents in the Association of American Colleges and Universities (AAC&U) and the faculty in the National AAUP. UNT adopts the [1940 AAUP/AAC&U Statement on Principles of Academic Freedom and Tenure](#) [3] per [UNT Policy 06.035 Academic Freedom and Academic Responsibility](#):

## **IV. Policy Responsibilities**

### **A. Academic Freedom**

Consistent with the 1940 AAUP Statement on Academic Freedom, this policy affirms the Chicago principles on free expression, as articulated in the 2015 Report of the Committee on Freedom of Expression. "Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn," except insofar as this policy 1) limits inquiry and expression in subsections A, B, and C, and 2) establishes Academic Responsibilities in section II. "[I]t is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive." Academic Freedom extends to in-person and on-line environments.

#### **1. Research**

Faculty members are entitled to full freedom in research and in the publication or presentation of the results, subject to the adequate performance of their other academic duties and the requirements of UNT policy.

#### **2. Teaching**

Faculty members are entitled to freedom in teaching and discussing their subject and in the selection of textbooks and other materials for their courses, but they should not introduce controversial matter that has no relation to their subject into the curriculum.

#### **3. Public Expression**

Faculty members are citizens as well as officers of their educational institution. When faculty members speak or write as citizens, they should be free from institutional censorship or discipline. 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 the University by their utterances. Hence, they should at all times attempt to be accurate, exercise restraint, and make every effort to indicate that they are not speaking for the institution. Faculty members are not permitted to use official letterhead or other University resources for the purpose of public expression.

Items 1-3 in UNT Policy 06.035 are essentially the same three points under "Academic Freedom" in the [1940 AAUP/AAC&U Statement on Principles of Academic Freedom and Tenure](#) [3].

Free inquiry, free expression, intellectual exploration, and open dissent are critical for student learning and the advancement of knowledge. Academic freedom is the freedom from censorship by the institution in the instructional staff's teaching, research, and expression. Expression includes intramural and extramural speech. Academic freedom allows instructional staff to develop and disseminate new knowledge from all viewpoints, including conservative, moderate, liberal, and apolitical. Safeguards of academic freedom include shared governance, tenure and due process.

The UNT administration censoring content on course syllabi and in course catalog descriptions violates UNT's policy on academic freedom, violates shared governance, and could put university accreditation at risk:

1. SB 17 has a clear exemption for academic course instruction as well as scholarly research and communicating research results, among others. See Tex. Educ. Code § 51.3525(d).
2. UNT adopts the [1940 AAUP/AAC&U Statement on Principles of Academic Freedom and Tenure](#), which means teachers have full freedom in the classroom. Here's an excerpt from [UNT Policy 06.035 Academic Freedom and Academic Responsibility](#):

"Faculty members are entitled to freedom in teaching and discussing their subject and in the selection of textbooks and other materials for their courses, but they should not introduce controversial matter that has no relation to their subject into the curriculum."

[https://policy.unt.edu/sites/default/files/06.035%20Academic%20Freedom%20and%20Academic%20Responsibility\\_0.pdf](https://policy.unt.edu/sites/default/files/06.035%20Academic%20Freedom%20and%20Academic%20Responsibility_0.pdf)

Here is the related language in [1940 AAUP/AAC&U Statement on Principles of Academic Freedom and Tenure](#):

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.<sup>4</sup>

<sup>4</sup> Second 1970 comment: The intent of this statement is not to discourage what is "controversial." Controversy is at the heart of the 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 their subject.

3. Faculty have the primary authority over the curriculum as recognized by UNT policies, AAUP policies, and accreditation requirements. The censorship effort, led in part by UNT VP and Chief Integrity Officer Clay Simmons [5], was already underway in the College of Education without debate, discussion, or vote by the Faculty Senate. This is a violation of shared governance. Faculty should have been consulted prior to any implementation of a policy affecting the curriculum per the [UNT Policy 06.047 on Shared Governance and the Role of Advisory Committees and the Academic Administration](#):

"On matters directly involving the structure of academic degree programs, degree qualifications, the curriculum, the review and grading of student accomplishments, and the conferral of academic degrees, the faculty is responsible for developing the standards and criteria for final approval by the administration. While the administration must ultimately approve matters involving academic quality, the faculty voice is primary."

<https://policy.unt.edu/sites/default/files/06.047%20Shared%20Governance%20and%20the%20Role%20of%20Advisory%20Committees%20and%20the%20Academic%20Administration.pdf>

4. No one from the UNT Central Administration addressed the full Faculty Senate on the issue of the UNT administration censoring course content until UNT VP and Chief Compliance Officer Clay Simmons presented at the Faculty Senate meeting on Wednesday, October 9, 2024, after the censorship was well underway. [5] To the best of

our knowledge, no one from UNT Central Administration or UNT System has directly communicated with the entire faculty concerning the UNT administration censoring course content. Many faculty would have first heard about the censorship from the student newspaper article on Oct. 31, 2024. [6]

What is, of course, needed is shared governance, where faculty are involved from the beginning of curriculum changes due to their primary voice in these matters as mentioned in point #3 above. In the presentation on October 9, 2024, to the Faculty Senate, Mr. Simmons, who is a lawyer and not a faculty member, said that his office had reviewed approximately 200 course syllabi so far. Of these, his office ordered the instructor to make changes in the course content in 107 of the course syllabi, and the changes made to 17 of these have been approved by his office. The VP and Chief Compliance Officer is engaging in institutional censorship, which is a direct violation of the 1940 AAUP/AAC&U Statement on Principles of Academic Freedom and Tenure [3] and hence UNT's own policy on academic freedom.

5. In the UNT Administration, the directives to scrub words such as "race," "gender," "class" and "equity" from course titles and descriptions [2] appear to come from the VP and Chief Integrity Officer Clay Simmons and not through a shared governance process. Mr. Simmons explained how course content is reviewed during his presentation to the UNT Faculty Senate on Oct. 9, 2024. [5] Further, Mr. Simmons' office worked with College of Education Interim Dean Rudi Thompson and College of Education Associate Dean Brian McFarlin to remove content in the titles and descriptions for 78 graduate courses in the College of Education: [7]

The altered courses are within the College of Education's Department of Teacher Education and Administration. Course names and descriptions are reviewed, selected for adjustments and then rewritten by Brian McFarlin, an associate dean for undergraduate studies and research in the College of Education.... McFarlin was tasked with the College of Education's course review and adjustment process after a meeting with Interim Dean of the College of Education Rudi Thompson and the Integrity and Compliance office....

McFarlin and Thompson's meeting with the Integrity and Compliance office also included how to protect faculty from student complaints, according to the email. In the same meeting, they decided to address course names and descriptions because they are "public facing," the email said.

Per the next item, the UNT Administration unilaterally changed course titles and descriptions in the course catalog on Oct. 28th. This is an additional effort to the mandatory changes to course syllabi discussed by Mr. Simmons in his presentation to the Faculty Senate on Oct. 9th.

6. On Oct. 28th, Associate Dean Brian McFarlin and Curriculum Committee Member Bill Camp alerted faculty of changes to several *graduate courses* in education. [5]

The course changes at the University of North Texas' college of education included removing words such as "race," "gender," "class" and "equity" from titles and descriptions. Bill Camp, faculty member in the college of education, emailed colleagues on Oct. 28 alerting them of the changes made to graduate courses.

"If a change is being made to your course, there were problems related to SB 17 and the new charge in the new legislative session," Camp wrote....

The new charge is in the Second Wave of Interim Charges for the Texas Senate issued on Sept. 10, 2024. Interim Charges are study items for the next Legislative session which will begin on January 14, 2025. Here's the charge being referred to: [8]

**Stopping DEI to Strengthen the Texas Workforce:** Examine programs and certificates at higher education institutions that maintain discriminatory diversity, equity, and inclusion (DEI) policies. Expose how these programs and their curriculum are damaging and *not* aligned with state workforce demands. Make recommendations for any needed reforms to ensure universities are appropriately educating students to meet workforce needs.

7. One of the justifications that UNT Administration has given for the unilateral removal of words such as "race," "gender," "class" and "equity" from course titles and descriptions in undergraduate and graduate courses follows: [7]

UNT spokeswoman Devynn Case said the changes are not related to the DEI ban.

"The College of Education is currently conducting its state-mandated curriculum alignment review to ensure its curriculum is in line with teacher education standards as required by the state," Case wrote in a statement to *The News*. "In response to the review, we are updating course names, content, readings, etc. to align with the state's standards for the training of teachers."

An issue with this claim is that the state-mandated curriculum alignment review is due to the *undergraduate* K-12 teacher certification program [9][10] receiving probation in Nov. 2022 and Nov. 2023 by the Texas Education Agency. [11][12] Yet, 78 graduate courses have been scrubbed of words such as "race," "gender," "class" and "equity" from course titles and descriptions [2] even though they are not part of the K-12 teacher certification program. And it's not clear as to why these words would be required to be removed by the Teacher Education Agency in undergraduate courses as part of their evaluation of the K-12 teacher certification programs.

The Texas Education Agency (TEA) evaluates teacher certification programs across the State each year. TEA placed UNT's teacher certification program on probation in Nov. 2022 for [11][12]

- a. field observations for student teachers administered two weeks too early
- b. first-year teachers surveyed did not feel adequately prepared to
  - i. to teach students with disabilities

- ii. to teach English language learners
- iii. to plan instructional activities

In Nov. 2023, TEA also placed the program on probation because the first-year teachers surveyed did not feel adequately prepared [11][12]

- a. first-year teachers surveyed did not feel adequately prepared to
  - i. to teach students with disabilities
  - ii. to plan instructional activities

If TEA places the teacher certification program at UNT on probation for a third year in a row in Nov. 2024, UNT will lose accreditation and could reapply in two years, but would not be able to admit any new students into the teacher certification program until the program regains accreditation. [13] This is an opportunity for the UNT administration to fully engage shared governance to work with faculty in a cooperative, trust-based, collegial and transparent manner to revise the undergraduate courses and training in the teacher certification program as needed.

- 8. In Texas, the sole accreditation body for colleges and universities (except for medical and law schools) is the Southern Association of Colleges and Schools (SACS) Commission on Colleges (COC). In the 2024 SACSCOC [Resource Manual for Accreditation: Foundations for Quality Enhancement](#), SACSCOC requires academic freedom and shared governance for accreditation:
  - a. Section 6.4 on Page 54 starts with “The institution publishes and implements appropriate policies and procedures for preserving and protecting academic freedom”. See below for the entire section.
  - b. Section 10.4 on Page 96 starts with “The institution (a) publishes and implements policies on the authority of faculty in academic and governance matters, (b) demonstrates that educational programs for which academic credit is awarded are approved consistent with institutional policy, and (c) places primary responsibility for the content, quality, and effectiveness of the curriculum with its faculty.” See below for the entire section.

We concur with Pen America [14]:

“Making up provisions in SB 17 that do not exist is the hallmark of a higher education system that has gone totally rogue,” said Jeremy C. Young, PEN America’s Freedom to Learn program director. “The situation at UNT is one of the most extreme cases of overcompliance with a censorship law we have ever seen. SB 17 already restricts diversity initiatives and programming on campus, which is bad enough. But by extending the reach of this law into areas explicitly protected by the legislation itself, UNT is not only misinterpreting the law but also putting faculty members’ academic freedom in severe jeopardy.”

In summary, we express utmost concern over the current state of academic freedom at UNT. Based on the information we have, the UNT Central Administration and UNT System unilaterally

censoring course content violates UNT's policy and professional standards on academic freedom and shared governance, and could put university accreditation at risk, regardless of the rationale as to why the UNT Administration made those changes. In addition, we are concerned about the rationale expressed by administrators that reflect an extreme overcompliance with SB17 and an adherence to a study item for the next Texas Legislative session to convene in January 2025. We demand immediate suspension of, and reversal of all previous course content changes, by the UNT administration due to an extreme overcompliance with SB17 and adherence to the Texas Legislature study item. This would include restoring the words "race," "gender," "class" and "equity" that the UNT administration unilaterally scrubbed from course content. We urge UNT to fully implement policies on the authority of faculty in academic and governance matters and placing primary responsibility for the content, quality, and effectiveness of the curriculum with its faculty.

In closing, we acknowledge that our understanding of this matter stems primarily from faculty members at UNT and media reports; thus, we welcome your response.

## References

- [1] Megan Zahneis, "[A Texas University Tells Professors Their Teaching and Research Will Be Under 'Intense Scrutiny'](#)", *The Chronicle of Higher Education*, November 13, 2024.
- [2] Marcela Rodrigues, "['Race,' 'equity' removed from UNT course titles to comply with Texas DEI ban, faculty say](#)", *Dallas Morning News*, November 14, 2024.
- [3] [Statement of Principles on Academic Freedom & Tenure](#) defines academic freedom in teaching, research, and expression. These principles were jointly formulated by the American Association of Colleges & Universities (AAC&U) representing college and university presidents and AAUP representing professors. These professional standards have been adopted by more than 85% of public and private non-profit four-year universities in the US.
- [4] [Statement on Government of Colleges and Universities](#), jointly formulated by the AAUP, American Council on Education (ACE), and Association of Governing Boards of Universities & Colleges (AGB). The AAUP represents faculty, ACE represents college and university administrations, and AGB represents University Systems, Boards of Regents, and Boards of Trustees. ACE has more than 1500 college and university members and AGB has more than 1300 college, university, and system members.
- [5] Clay Simmons, "SB 17 Review", presentation to the UNT Faculty Senate, October 9, 2024. [Zoom recording and interactive transcript available](#). Comments begin at the 25:55 mark.
- [6] McKinnon Rice, "[Guidance on research and teaching aimed at SB 17 compliance announced](#)", *North Texas Daily*, October 31, 2024
- [7] John Forbes, "[College of Education makes 78 changes to course titles and descriptions](#)", *North Texas Daily*, November 12, 2024.
- [8] [Texas Senate Higher Education Subcommittee](#), accessed November 17, 2024.
- [9] [UNT College of Education Undergraduate Programs](#), Accessed Nov. 17, 2024
- [10] [UNT Educator Preparation Office](#), Accessed Nov. 17, 2024.
- [11] "[TEA places UNT educator preparation program on probation for second year in row](#)", *KERA News*, June 6, 2024.
- [12] [TEA Accountability System for Educator Preparation](#), Accessed Nov. 17, 2024.
- [13] Teacher Education Agency, [19 TAC Chapter 229](#), Section 4 Determination of Accreditation Status.
- [14] "[PEN America Condemns University of North Texas System's Extreme Overcompliance in Implementing A DEI Ban](#)", November 14, 2024.

Sincerely,



Brian L. Evans, PhD | He/Him | [aaup.texas@gmail.com](mailto:aaup.texas@gmail.com) | 512-516-5991

President, [Texas AAUP Conference](#), affiliated with the [Texas American Federation of Teachers](#)

Pat Heintzelman

Pat Heintzelman | She/Her | [tfa.president@texasfacultyassociation.org](mailto:tfa.president@texasfacultyassociation.org)

President, [Texas Faculty Association](#), affiliated with the [Texas State Teachers Association](#)

Seth J. Batiste

Seth J. Batiste, PhD | He/Him | [sethbatiste@yahoo.com](mailto:sethbatiste@yahoo.com)

President, Texas Association of College Teachers, an independent association

**Cc:**

Dr. Michael McPherson, Provost, UNT

Mr. Clay Simmons, VP and Chief Integrity Officer, UNT

Prof. Coby Condrey, Chair, Faculty Senate, UNT

Prof. William Joyner, Vice Chair, Faculty Senate, UNT

Dr. Rudi Thompson, Interim Dean of Education, UNT

Dr. Brian McFarlin, Associate Dean of Education, UNT

Dr. Ruth Lowery, Associate Dean for Graduate Studies & Faculty Affairs, College of Education, UNT

Dr. Amanda Vickery, Associate Dean for Educator Preparation, College of Education, UNT

Prof. Bill Camp, College of Education, UNT

Dr. Michael DeCesare, Senior Program Officer, Department of Academic Freedom, Tenure, and Governance, American Association of University Professors, AFT, AFL-CIO

Mr. Zeph Capo, President, Texas American Federation of Teachers, AFT, AFL-CIO