

**SPECIAL REPORT
OF THE
AD HOC COMMITTEE ON STATEMENTS BY
DEPARTMENTS AND OTHER UNIVERSITY UNITS**

regarding

**FINAL REPORT OF THE AD HOC COMMITTEE ON STATEMENTS
BY DEPARTMENTS AND OTHER UNIVERSITY UNITS**

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Fac Senate Report on Guidelines for Departmental and Unit Statements

Introduction

This report recommends guidelines for academic units, including programs, departments, centers and institutes, at the University of Massachusetts-Amherst, when they make statements on behalf of those units. We act in the wake of events which have generated calls both for universities to make statements, and to refrain from making such statements.

After providing context for the committee's work, we present a set of guidelines for departmental statements. The guidelines can be thought of as a checklist that we hope departments will use when pondering statements. The guidelines are divided into two parts. First is a set of preliminary questions that members of an academic unit should consider in deciding whether a unit-wide statement makes sense. A second set of guidelines recommends suggestions for units around process if they decide to make a statement.

We write in the specific context of UMass-Amherst, although our report may be useful to other leading flagship public land-grant universities like ours, with strong traditions of research, teaching, service and robust internal governance. Our guidelines below should not be read to proscribe unit-wide expression. Rather, we attempt to balance our campus' mission as a bastion of academic freedom, expertise, and contentious discussion, as well as a community that values inclusion, mutual respect, and concern for all members.

Charge to the Committee

The following is excerpted from the specific charge to this committee, from Faculty Senate Document No. 24-030:

To explore the terrain around statements by departments and other university units and to clarify the various issues that arise when making them. The idea is to provide a helpful map of that terrain, and a compass for navigation.

To provide, in the light of the results of this exploration, guidelines that the Faculty Senate can recommend for departments, academic units, and the university as a whole about the meanings and implications of making organizational statements.

In the course of its work, the Ad Hoc Committee will undertake consultations with a broad set of campus constituencies – including, but not limited to, Academic Deans, Department

Heads and Chairs, Directors of Institutes and Centers, Campus Administration, the General Counsel, Faculty, and Student Governance Bodies.

Similar to the charge for the Ad Hoc Committee on Guidelines regarding the Sponsorship of Events, the Ad Hoc Committee, in considering these matters, will not:

1. Seek to curtail freedom of speech or academic freedom, as embodied in the 1940 AAUP Statement of Principles and amended in Article 8 of the MSP contract (<https://umassmsp.org/contract/>), in any way.
2. Attempt to define the dividing line between intellectual and political perspectives.

Foundational Considerations

Context. Since the committee's initial charge in December, 2023, we have carried out our work on a campus, like others in the US, that has been roiled by challenges to mutual trust, and, more recently, by concerns of external threats to funding, institutional autonomy, and the well-being of some members of our community. While noting the particular social and political context in which we produce this report seems salient, our guidelines for unit statements below are meant to be untethered to any particular sociopolitical landscape.

Method. To write this report, we spoke to a range of administrators, invited the input of faculty and librarians, and fielded a detailed survey that went out to all faculty and librarians in the early fall of 2024. We received 500 completed surveys, representing a response rate of 30%. A summary of the survey results can be found in an appendix to this report. We also reviewed diverse policies pertaining to faculty statements at other universities.

Free speech and academic freedom. Our work touches on both issues of free speech and academic freedom, which are related, but distinct. Faculty and librarians hold First Amendment rights related to free speech and freedom of association. They generally enjoy protection from government regulation or interference with their speech, subject to content-neutral restrictions on the time, place or manner of speech. There is a presumption that librarians and faculty, speaking as individuals, can legally say what they like outside of their "official duties," even when controversial.

Academic freedom protects university community members from government, university administration or other interference in their rights to teach, research, engage in governance, and foster debate around issues within their areas of expertise, in the service of advancing knowledge. Since academic freedom shields university experts when they demonstrate or contest ideas in their areas of knowledge, it might motivate some units to make statements,

or others to avoid the unity implied by a unit-wide statement. Yet academic freedom is not an unqualified right; employees of public universities have experienced, and may risk, repercussions for speech that falls outside of their fields of teaching and research.

Departmental statements vs. other kinds of statements. Individual faculty members and collections of faculty members have free speech rights to issue statements in their own name, as well as academic freedom to speak on their areas of expertise. Our charge does not extend to guidelines around the statements of faculty as individuals or groups, whose speech does not raise the challenges that arise in unit-wide statements.

When campus administrators speak, the public sees this as the institution's voice. Therefore, and because universities must champion and foster both free speech and academic freedom, administrators are subject to legal and other constraints in their public speech, which is institutional in nature. Multiple sets of national and institutional guidelines exist around administrative institutional speech. The most well-known of these, the 1967 Kalven Report from the University of Chicago, advocates a general posture of university neutrality on public political institutional speech. However, not all guidelines uphold the Kalven posture, and the Kalven Report itself explicitly encourages universities to speak up if their core mission and/or their internal institutional or financial integrity face threats. Our guidelines are not designed for UMass administrators, although they may be of some use.

Our guidelines are meant for departments or other academic units that make statements as a whole. Department and other academic units fall into a gray area between individuals, who have employee-based First Amendment protections, and administrators, who may legally be categorized as employers or representatives of academic institutions. Academic units comprise diverse individuals, but are also administrative units of faculty, and include one or more individuals with official administrative roles. Even though departmental speech may be protected and does not represent the institution as a whole, outsiders might reasonably confuse a unit statement with the university's voice. This concern, along with issues of fairness, representation and minority perspectives, mean that departments must balance multiple interests if they contemplate statements. Hence, our guidelines below.

Potential appeals and concerns with regard to unit statements. The need for guidelines around departmental statements stems from varied perspectives about their possible benefits and costs. Some of our survey respondents believe that unit statements have potential to advance the university's mission, provide academic knowledge, communicate an important position, contribute to campus discourse, make students or other community members feel supported, or show solidarity around an issue. Moreover, it is possible that crafting a statement will stimulate collaborative deliberation or debate within a department.

On the other hand, our respondents think that unit-wide statements carry risks. Most notably, such statements can make faculty who disagree feel marginalized or even repressed. Unit statements may increase conflict within a unit, and they may heighten individual unit members' stress. Unit statements can also make students, staff and others, who were uninvolved in the process of making them, feel disempowered.

General survey results. In putting together our guidelines, we considered all of the insights and data we collected, including our detailed survey of faculty and librarians. Three key general findings set the stage for the guidelines that follow. First, on most international and national political issues, a slight to moderate majority of survey respondents oppose unit-wide statements. Second, respondents are more favorable, sometimes by a majority, towards unit statements that comment on issues related to campus-wide issues like state funding, settled science, or attacks on minority or civilian populations in the U.S. or elsewhere. Third, respondents are more inclined to support unit statements on issues internal to our campus, such as departmental messages of support for ethnic or religious minority groups targeted by hateful emails or graffiti. Nonetheless, even in those areas where respondents are generally more favorable towards unit-wide statements, they prefer that administrators make such statements campus-wide, rather than individual units.

Guidelines

We urge members of units pondering unit-wide statements to attend to the following guidelines, which we divide into two sections of preliminary considerations and process. They can be used as a checklist to gauge whether a statement can be useful and fair.

Part 1: Preliminary guidelines for unit members considering a unit-wide statement

We recommend that members of academic units ask, and consider carefully, the following questions before deciding whether to put forward a unit-wide statement:

1. *What is the purpose of making the statement?* Articulating clearly the rationale for the unit-wide statement to begin with can guide subsequent deliberations.
2. *Does the statement draw on a unit's expertise?* Survey respondents and outside experts, such as Henry Reichman, *Understanding Academic Freedom* (2025, 131), are more likely to view statements that related to a unit's expertise as logical for a unit to seek to make. Yet, there is still a countervailing consideration that such a statement might be in tension with academic freedom, as it could discourage other members of the unit from drawing on their own professional expertise to come to differing conclusions with respect to ideas contained in the unit statement.

3. *Is the statement relevant to the core mission of the university or internal to our campus?* Faculty and librarians in our survey are more likely to favor unit statements when they relate to issues affecting our campus. Even the Kalven Report encourages universities to speak out on issues that relate to their core mission or autonomy.
4. *Is the statement's purpose better served by promulgation as a unit statement instead of a statement of individual, or a group of, unit members in their own names?* Faculty members and librarians have free speech rights to make statements individually or collectively. Given the more complex terrain of statements linked to an official unit, precision is important about the specific benefit of pursuing the statement through a unit-wide process, versus a coalitional process that is not linked to a unit.
5. *If speaking as an official unit serves a useful goal, might this goal be met by proposing the statement through the Faculty Senate or the MSP?* As the bodies that represent faculty and librarians as a whole, the Senate or Union may be the most appropriate option for a statement. Procedures for making proposals for the Senate can be found [here](#), and MSP contacts [here](#).
6. *Would the statement be more effective if made by a higher administrative unit rather than an academic unit, such as a Dean or the Provost?* A statement may be best-suited for campus-wide leaders, such as the Provost or Chancellor, or, with respect to an issue particular to the mandate of a College or Colleges, the Dean(s) of that College(s). Statements made by campus-wide leaders may enjoy greater efficacy than unit statements. The campus speaking with one voice carries impact. Upper leadership statements can reflect the overall university community, and will be seen as representative of UMass as an institution. Our survey respondents were generally more inclined to support statements by administrators than by departments.
7. *Are there other considerations or consequences that should be factored into the decision?* A unit statement can implicate the reputation, or perceived credibility of the department. It can also upset other campus constituencies, or erode a unit's capacity to work with other campus stakeholders. Alternatively, a statement may lend support or build connections with other internal or external groups. Such potential consequences should be considered before a unit makes a statement.

Once members of a unit consider the above questions, and still believe that a statement on behalf of that unit is a useful goal, a second set of guidelines becomes important.

Part 2: Process guidelines for units who move forward with a unit-wide statement

8. *Breadth and inclusion.* Sometimes a simple message can command wide support, while particular details can seem narrow or divisive. For a unit-wide statement,

sticking to points on which there is broad consensus is sensible, and may also be more effective with the statement's desired audience.

9. *Accuracy and civility.* Unit statements should always avoid false and misleading statements, assertions that lack evidence, and defamatory or other personal attacks. We encourage statements to adopt a civil and professional tone.
10. *Fairness and transparency.* The process of drafting a statement should be democratic, fair and transparent.
11. *Democratic supermajority.* We encourage unit statements to be approved by at least a supermajority of 2/3 the voting members of the unit to demonstrate broad support.
12. *Record of the method and vote in the statement.* The method by which the statement was made should be included within the statement. For example, if the statement was adopted by a supermajority vote, that should be stated. Moreover, the vote itself should be stated (e.g., "This statement was adopted by a vote of X to Y.") This makes the strength of support clear and transparent, and prevents the perception that there is unanimous support if there isn't.
13. *Opportunities for dissent and the expression of minority views.* While a possible statement is being deliberated, a culture should be fostered that allows disagreement and dissent. Once a statement is adopted, individual dissenters or a group of dissenters should be given a forum to express their views. For example, if a statement is published on the unit website, dissenters should be allowed to publish a dissenting statement in the same space, if possible.
14. *Clarity that the statement does not necessarily speak for those uninvolved with it.* If for example, a statement was written and voted on only by faculty in the department, it should state explicitly that it does not represent students, staff or others who were not involved. The statement should also clarify that it is not speaking on behalf of other units, or the university as a whole.
15. *Generalization of Procedure.* If the question of unit-wide statements comes up repeatedly in a unit, the unit should regularize its procedures around drafting and approving statements, taking these guidelines into account.

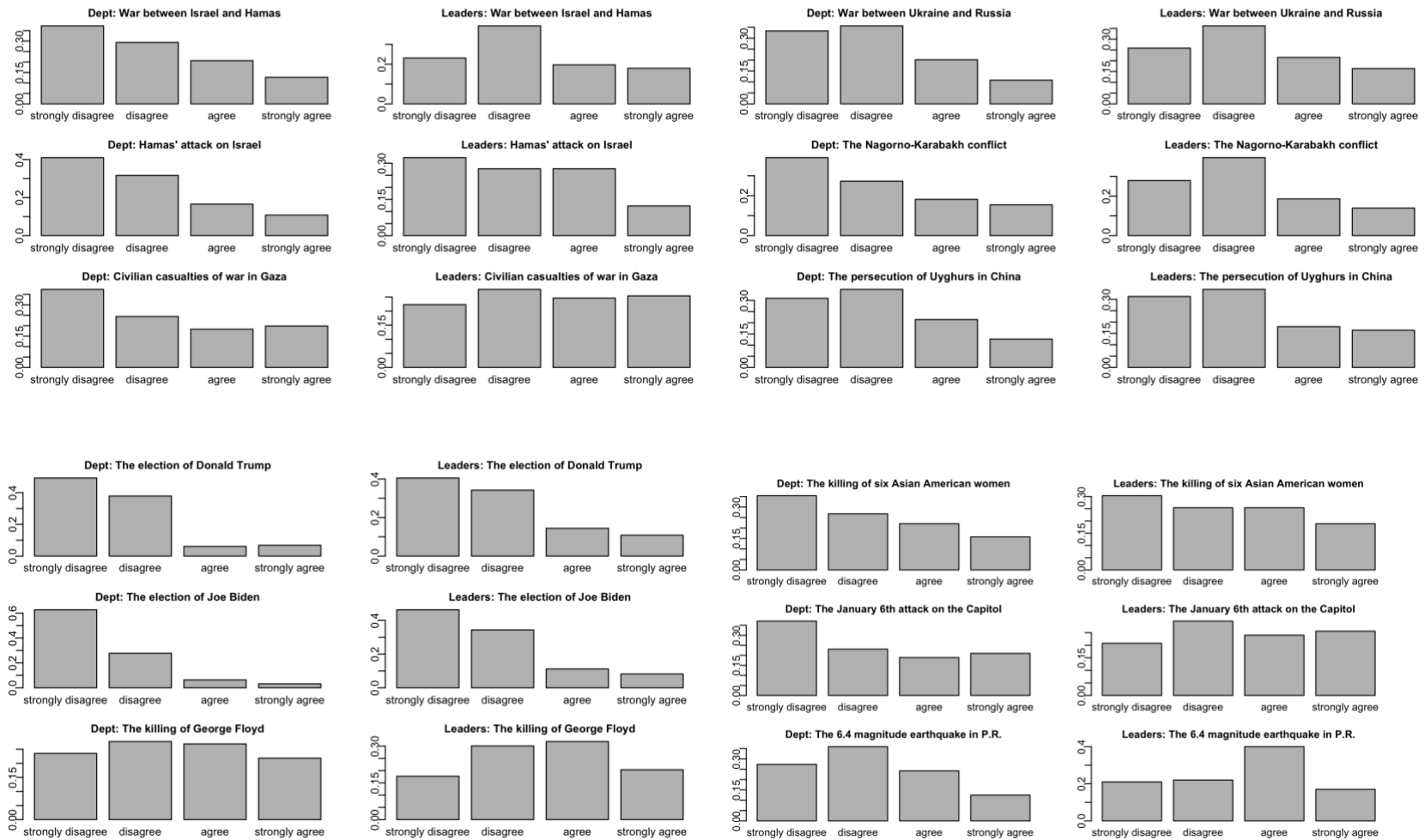
Conclusion

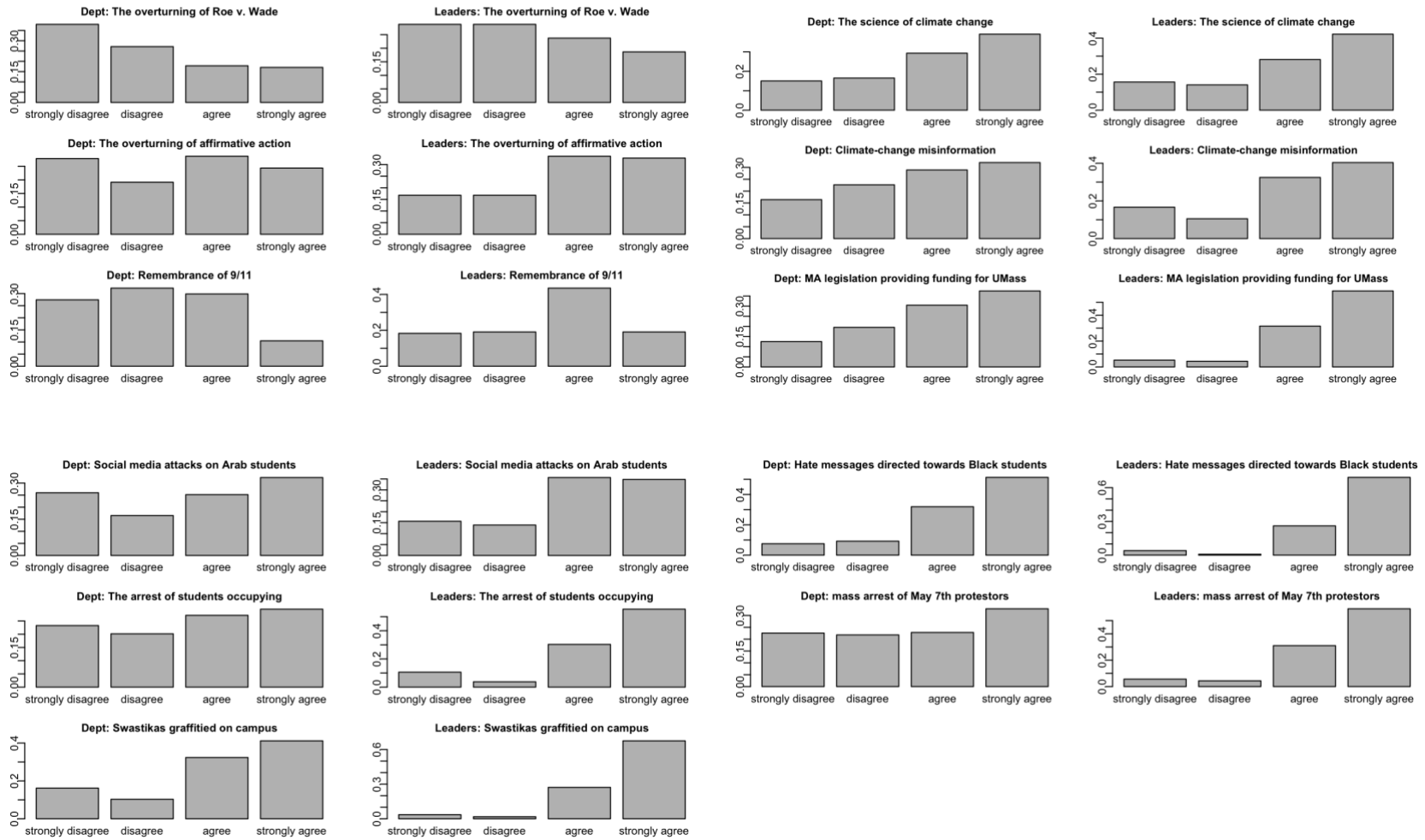
Our university's mission to protect and enhance robust academic freedom and freedom of speech matter, perhaps more than ever during periods of polarization like the present. By urging departments and other units to be very thoughtful and careful about whether, why, and how they produce unit-wide statements, we hope to enhance our university's capacity to engage in uninhibited open inquiry and the exchange of ideas, while also enhancing a climate of respect for difference and democratic governance.

MOTION: That the Faculty Senate approve the Guidelines on Unit Statements, as presented in Sen. Doc. No. 25-096.

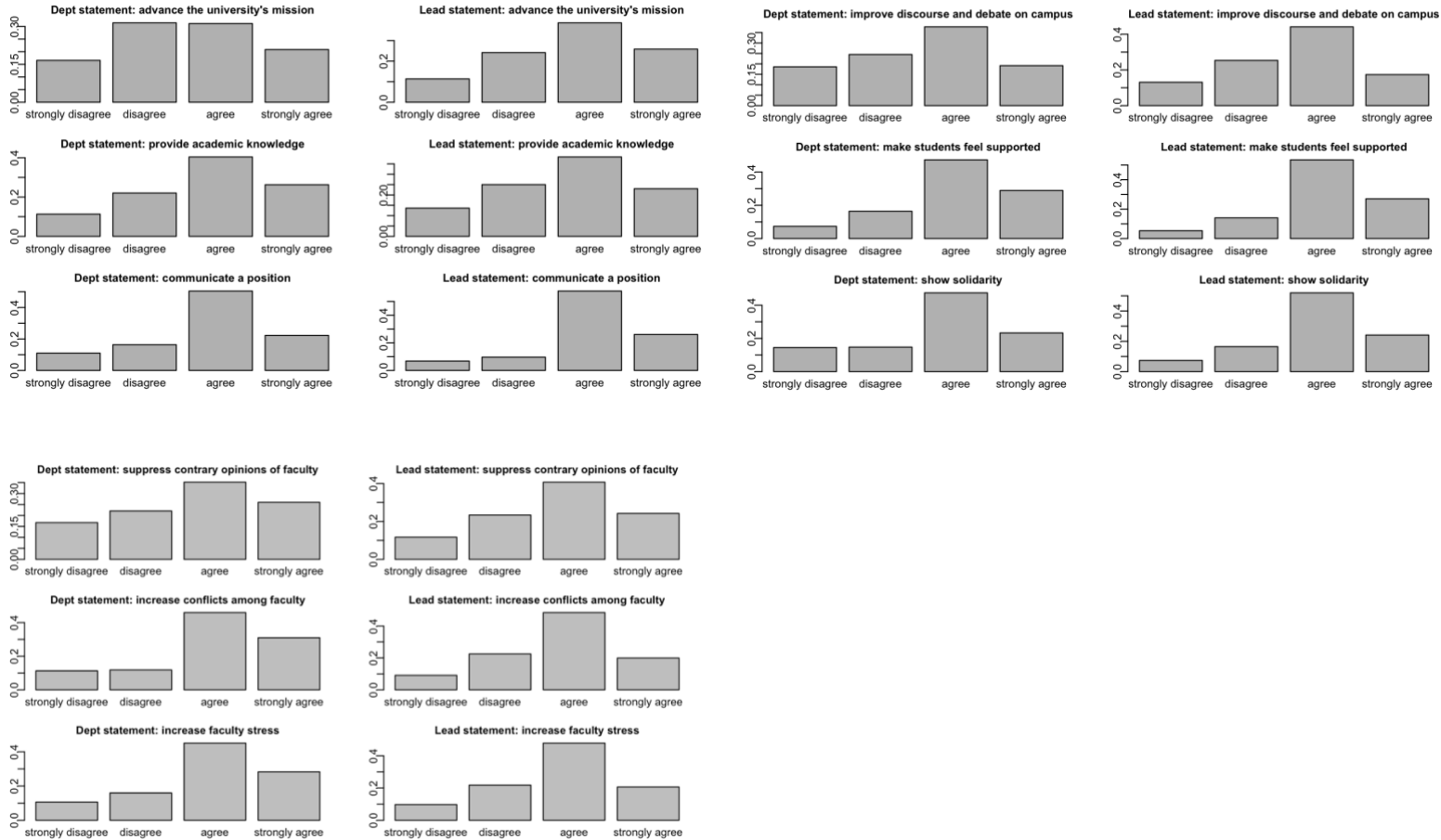
Appendix: Survey results

To what extent do you agree or disagree that an **academic department / campus leaders** should make a statement about the following...





When there is an issue not primarily based on campus, a **statement by a department / campus leadership** can...



Which of the following can approve a statement on behalf of a department for an issue that is...

