

United Faculty of Florida—University of Florida



UFF-UF Demands: Save Academic Freedom @ UF Press Conference

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Preamble

Since at least March of 2020, the University of Florida’s Board of Trustees, President Kent Fuchs, and Provost Joe Glover appear to be operating under the undue influence, real or imagined, of a chain of command that has communicated outside the sunshine. This chain of command extends from Governor Ron Desantis and the Florida State Legislature to the State University System Board of Governors. The concrete and visible result of this undue influence has been a series of botched decisions endangering the University of Florida community and compromising its mission as a world-class educational institution.

President Fuchs, Provost Glover, and the trustees’ anticipatory obedience, their pre-emptive rush to please the prevailing political powers -- even in the apparent absence of any concrete orders -- has produced a cavalier and inhumane response to the COVID-19 pandemic. As part of its response to this crisis, the University failed to extend its mask mandate when COVID case rates were surging as a result of the Delta variant, it declined ADA accommodation requests by employees with disabilities, and it refused to authorize faculty teaching in person to require from students attending in person either proof of vaccination or a negative COVID test within the last 72 hours.¹ These actions needlessly put students, employees, and the Gainesville community in harm’s way.

President Fuchs and Provost Glover’s most recent botched decision was to prevent University of Florida faculty from providing paid expert testimony in cases that challenge state laws or executive orders. The best known of these prohibitions involves three Political Science faculty, Drs. Sharon Austin, Michael McDonald, and Daniel Smith, who were barred from offering paid testimony in a case that challenges a new Florida state law restricting voting access. In addition, the University has barred at least four others from providing similar services, including a UF pediatrician who agreed to testify, pro bono, against an order prohibiting mask and vaccine mandates. These experts were denied the ability to perform these services on the dubious

¹ This sentence has been updated since the publication of our November 5 document. The previous version of this sentence read as follows: “As part of its response to this crisis, the University failed to extend its mask mandate when COVID case rates were surging as a result of the Delta variant, it declined ADA accommodation requests by employees with disabilities, and it refused to implement a university-wide vaccine mandate.”

grounds that, as state employees, their participation in these suits is adverse to the University's interest as an arm of the executive branch of the State of Florida.

The University's actions are a clear violation of the affected faculty members' academic freedom and free speech rights. They represent a clear violation of the Collective Bargaining Agreement between the University of Florida and the UF chapter of the University of Florida, which governs working conditions for Drs. Austin, McDonald, and Smith. Perhaps most importantly, they set a dangerous – indeed, intolerable – precedent, suggesting that when UF employees receive payment for their expertise, their words and actions must closely align with the interests of prevailing political ideologies in the State of Florida.

Many motivations have been suggested for the UF administration's unfortunate decisions: pandering to ensure state largesse and UF's rise in *US News* rankings, fear of actual or imagined retaliation, or the convenient use of rumored external threats to internally silence voices and consolidate power. All of these motivations have one thing in common: they are ethically corrupt, inconsistent with a public higher education institution's mission as a place of free inquiry, and will seriously compromise UF's reputation.

These botched decisions by University administrators, moreover, are part of a broader pattern of action by state and University authorities that seeks to curtail academic freedom and manipulate the University for political ends. Over the past several months, the state legislature has passed legislation that seeks to prevent our K-12 colleagues – including educators at UF's P.K. Yonge Developmental Research School – from accurately describing the history of racial oppression in the United States and beyond. It has passed legislation that permits students to record instructors without their consent. It has passed legislation that subjects faculty to a mandatory survey of their political and ideological views. And, citing foreign interference and theft of intellectual property at research universities, it has passed draconian legislation to police faculty outside activities, including their interactions with designated “countries of concern.”

University administrators, meanwhile, have violated the University's appointment and tenure protocols in their efforts to fast-track Florida Surgeon General Joseph Ladapo for a faculty position. They have violated their stated commitments to sustainability by announcing the construction of a methane-fired power plant. And, following the example of the University System of Georgia Board of Regents, they are now rumored to be considering an assault on tenure.

For decades, University administration has used the power of the purse to quietly silence ideas that are inconvenient to its interests -- divesting from humanities, arts, and social science education while slowly rendering the academic workforce more precarious. These strategies have impoverished our understanding of the world and compromised the quality of education we provide to our students. Yet, for University administration, these quiet attacks clearly did not go far enough. Now, the administration is pursuing a clear strategy to explicitly censor inconvenient speech – to ban frank discussions of racism, to encourage students to record faculty comments that they find distasteful, to pry into faculty members' private views, to remove protections on

our academic freedom, and to ban us from receiving compensation for our expertise in controversial matters of public concern.

These actions represent an attack on the quality and integrity of the education we provide; and they represent an assault on our rights as scholars and workers. For these reasons, the United Faculty of Florida at the University of Florida declares that it has no confidence in the University's administration and trustees. We call upon the administration to reverse course on the actions enumerated above or to resign. We demand the following:

Demands

For University of Florida Administration:

1. The University must allow Drs. Austin, McDonald, and Smith -- as well as other faculty affected by similar prohibitions -- to provide paid expert testimony related to Florida state legislation that restricts voting access or on any other topic related to their expertise.

The University must also issue a formal apology to faculty affected by these prohibitions for violating their academic freedom and their rights as workers.

2. University administration must affirm that it will not interfere with the right of any employee to exercise their conscience, academic freedom, free speech rights, and expertise in an expert witness context, regardless of whether they receive payment for their expertise.
3. UF must affirm its support for voting rights and commit to opposing ongoing efforts to suppress voting rights in the state of Florida.
4. UF must formally declare that the University's mission to serve the public good is independent of the transitory political interests of state officeholders. Instead, UF should uphold its mission statement as the prime directive for all University activities.
5. UF should, in light of its clear inability to responsibly use employee-provided information on outside activities and conflicts of interest, suspend the requirement that employees report this information via the UFOLIO system.²

For University of Florida Donors:

6. Donors should withhold donations to UF until the University complies with the first four demands above.

² This demand has replaced the eleventh demand that appeared in our 5 November document. That demand read as follows: "Employees should refuse to disclose outside activities and conflicts of interest via the UFOLIO system. Until the University can be trusted to use this information responsibly, it should not be trusted with this information at all."

If donors choose to withhold donations, they should clearly express why they have chosen to withhold their donations and indicate what the University can do to regain their confidence.

For Educational Leaders:

7. The American Association of Universities (AAU), the American Association of University Professors (AAUP), or a comparable, independent body with no formal ties to the State of Florida, should immediately initiate an official investigation into the University of Florida's treatment of Drs. Austin, McDonald, and Smith as well as the University's broader policies on both academic freedom and outside activities.³
8. Until the university meets the demands above, presidents and provosts of other colleges and universities should downgrade their assessment of the University of Florida's reputation when surveyed by *US News and World Report*. A university that restricts its employees' speech rights, academic freedom, and labor rights is unworthy of a Top Five public university ranking.

When assessing UF's reputation, presidents and provosts of other colleges and universities should also consider UF's dangerous, inhumane response to the COVID-19 pandemic, its poor commitment to environmental sustainability, as well as the state's broader attacks on employees' speech rights, academic freedom, and labor rights.

9. Academic professional associations should call out University of Florida for its infringement of academic experts' right to engage freely in public discourse and be compensated for applying their expertise towards the public good.
10. Accrediting agencies should investigate and revisit the University of Florida's accreditation. A university that lacks strong protections for employees' speech rights, academic freedom, tenure, and labor rights is incapable of providing a world-class education.

For Artists, Scholars, and Intellectuals:

11. Artists, scholars, and intellectuals who are invited to perform at the University of Florida should decline these invitations until the University complies with our academic freedom demands. When declining an invitation to appear at the University, invitees should clearly specify why they are declining the invitation and, if they are active on social media, should use the hashtag #NotAtUF.

For Our Faculty Colleagues:

³ This point has been added since the publication of our November 5 list of demands.

12. The UF Faculty Senate should introduce and pass a resolution affirming this list of demands. As institutions of shared governance that represent the interests of UF faculty, we must speak with one voice.