

September 20, 2025

Dear Colleagues,

When the Yale Chapter of the AAUP was formed, it created a working group on academic freedom and university governance. The group brought together ladder and non-ladder faculty from the Faculty of Arts and Sciences (FAS), the School of Engineering and Applied Sciences (SEAS), and the professional schools, and included AAUP members and FAS-SEAS senators. The group met regularly over the Spring and Summer to review the [Yale Faculty Handbook](#) and to develop proposed revisions to strengthen its protections for academic freedom and improve its provisions for shared governance.

The group undertook this work at a moment of heightened concern for academic freedom in the United States. It began by reviewing Yale's policies and determined that the Faculty Handbook does mention academic freedom in the context of the [Woodward Report](#). However, it also learned that Yale has taken the position in [a recent brief to the Second Circuit court](#) that these references to academic freedom are not "sufficiently specific" to amount to "a set of contractual promises."<sup>1</sup> Even more troubling is that the court appeared to [agree](#).<sup>2</sup> This determination means faculty at Yale enjoy no clear protection of academic freedom, despite our calls on administration to strengthen such protections. In open letters in [February 2024](#)<sup>3</sup> and [February 2025](#)<sup>4</sup> more than 500 hundred faculty members asked the administration to support strong protections and clear commitments to academic freedom.

These local developments have unfolded against a national backdrop of [escalating attacks](#) on academic freedom across higher education,<sup>5</sup> [including terminations](#) of tenured and untenured faculty,<sup>6,7</sup> and dangerous co-operation by [institutions to support unspecified allegations](#) made by the federal government against both faculty and students.<sup>8</sup> Together, these events demonstrate how fragile academic freedom protections can be when they are treated as aspirational rather than binding, and why we must take steps to secure them.

Yale University needs clearer, binding protections of academic freedom to support faculty in their teaching and research, and to safeguard our collective efforts to "[improve] the world today and for future generations through outstanding research and scholarship, education, preservation, and practice" and to "carry out this mission through the free exchange of ideas in an ethical, interdependent, and diverse community of faculty, staff, students, and alumni."

The proposed revisions to the Introduction and Section II of the Faculty Handbook (included in full below) are designed to meet this need by clearly defining academic freedom and articulating the University's responsibility to create and to uphold an environment in which those freedoms can flourish. In consultation with handbooks and faculty contracts from peer institutions, as well as with experts on academic freedom from Yale Law School, we propose the following changes:

1. An explicit commitment that all future revisions to the Handbook will be developed in consultation with and the consent of a committee of the faculty chosen by the FAS-SEAS Senate and the professional schools. This ensures meaningful faculty participation in governance at the highest level.
2. A clear and specific definition of academic freedom distinct from references to the Woodward Report: "Academic freedom consists of freedom of research and publication, freedom of teaching in the classroom, freedom to participate in and comment upon

matters of university governance, and freedom to speak in public as citizens and public intellectuals.”

3. An acknowledgment that both faculty *and the University* bear responsibility for creating and maintaining the conditions under which academic freedom can be realized.
4. A statement, which is standard in many other faculty handbooks, to clarify that the individual contracts of faculty are with the University, not with a specific department or program.
5. An explicit commitment from the University that it will not terminate any school, department, or program without robust and meaningful faculty consultation.

We hope that these changes to the Faculty Handbook establish the foundation for future updates, including critical clarifications to and revisions of due process procedures for faculty complaints, which are currently under-articulated in Section III.

We understand these and future revisions to be part of a collaborative process between the faculty and the administration that will strengthen our community and ensure that Yale can continue to lead with integrity and innovation in the rapidly changing landscape of higher education.

Sincerely,

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Faculty of Arts and Sciences - Ethnicity, Race, and Migration, & Medieval Studies

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School of Engineering and Applied Science – Mechanical Engineering

Amy Kapczynski  
Yale Law School

Chris McGowan  
Faculty of Arts and Sciences - English

Laura Nasrallah  
Yale Divinity School & Faculty of Arts Sciences – Religious Studies

Mark Solomon  
Faculty of Arts and Sciences – Molecular Biophysics and Biochemistry

Dara Strolovitch  
Faculty of Arts and Sciences – Political Science, American Studies, & Women’s Gender and Sexuality Studies

Mimi Yiengpruksawan  
Faculty of Arts and Sciences – History of Art

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<sup>1</sup> See pages 30-37 of the brief. *Lee v. Yale University*, No. 23-2634, Brief of Defendant—Appellee, US Court of Appeals for the Second Circuit (2023):

<https://storage.courtlistener.com/recap/gov.uscourts.ca2.59068/gov.uscourts.ca2.59068.47.0.pdf>

<sup>2</sup> *Lee v. Yale University*, No. 23-558, Summary Order, United States Court of Appeals for the Second Circuit, (2023): <https://www.thefire.org/sites/default/files/2023/06/Lee%20v.%20Yale%20-%20Second%20Circuit%20Court%20of%20Appeals%20-%202023.pdf>

<sup>3</sup> Ben Rabb, “Yale Faculty Sign Letter Addressed to Yale’s Future President, Affirms Commitment to Social Justice,” *Yale Daily News*, February 20, 2024. <https://yaledailynews.com/blog/2024/02/20/yale-faculty-sign-letter-addressed-to-yales-future-president-affirms-commitment-to-social-justice/>

<sup>4</sup> Yolanda Wang, “Faculty Letter Calls on McInnis to Vocally Resist Trump Policies,” *Yale Daily News*, February 13, 2025. <https://yaledailynews.com/blog/2025/02/13/faculty-letter-calls-on-mcinnis-to-vocally-resist-trump-policies/>

<sup>5</sup> Christa Dutton, “Many College Professors Say Their Academic Freedom is in Decline, Study Finds,” *The Chronicle of Higher Education*, January 8, 2025. <https://www.chronicle.com/article/many-college-professors-say-their-academic-freedom-is-in-decline-study-finds>

<sup>6</sup> Gavin Escott, “A Classroom Clash Over Course Content Went Viral. Texas A&M Fired the Instructor and Removed 2 Administrators,” *The Chronicle of Higher Education*, September 10, 2025. <https://www.chronicle.com/article/a-classroom-clash-over-course-content-went-viral-texas-a-m-fired-the-instructor-and-removed-2-administrators>

<sup>7</sup> “A Tenured Professor Spoke Hypothetically About Overthrowing the Government. He Was Fired 3 Days Later,” *The Chronicle of Higher Education*, September 12, 2025. <https://www.chronicle.com/article/a-tenured-professor-spoke-hypothetically-about-overthrowing-the-government-he-was-fired-3-days-later>

<sup>8</sup> <https://www.chronicle.com/article/uc-berkeley-hands-over-160-names-to-the-federal-government-for-potential-connection-to-antisemitism>

*This is a redlined version of the proposed changes to two sections of the July 1, 2025 Faculty Handbook.*

*Draft of Sept. 12, 2025, Yale AAUP AFUG WG.*

## Introduction

The purpose of the *Yale University Faculty Handbook* is to present in a convenient form the most important University policies and practices as they apply to the faculties of the University. The policies included and referred to in this *Handbook* form part of the essential employment understandings between members of the faculty and the University.

The *Handbook* is meant to inform and serve members of the administration as well as the faculty. It is available on the [Office of the Provost](#) website. The text of the *Handbook* includes links to University policies and resources available on Yale websites.

Updates to the ~~The~~ *Handbook* will be made in consultation with a committee of Yale University faculty, to be selected by the FAS-SEAS Senate, as well as faculty from the professional schools. ~~will be revised as University policies evolve, and a~~ An updated version of the *Handbook* will be posted online so that faculty may stay aware of changes in University policies. A memorandum highlighting significant changes to the *Handbook* will be distributed to faculty with each new edition.

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### II. Academic Freedom and Faculty Standards of Conduct

#### A. University Policy on Academic Freedom and Freedom of Expression

Yale's mission is to improve the world today and for future generations through outstanding research and scholarship, education, preservation, and practice. Academic freedom is necessary to succeed in this mission, and the University affirms its obligation to sustain and protect that freedom.

Academic freedom consists of freedom of research and publication, freedom of teaching in the classroom, freedom to participate in and comment upon matters of university governance, and freedom to speak in public as citizens and public intellectuals. These freedoms enable the University to maintain an ethos that will facilitate the enhancement of knowledge and its effective transmission to students and to the public. The University seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students and faculty are free within

the classroom to express the widest range of viewpoints in accord with the standards of scholarly inquiry and professional ethics. The exercise of academic freedom entails correlative duties of professional care, which are set forth in Section IIB, *Faculty Standards of Conduct*.

Faculty members are entitled to freedom in the classroom in presenting and discussing their subject. Faculty and instructional staff members must have primary responsibility for selecting instructional materials, defining course content and determining the methods of evaluating student performance in their classes. They must work in concert with their colleagues to ensure coherence of the curriculum and consistency in applying it, subject to academic standards accepted within the community of scholars and accreditation requirements.

To respect the academic freedom of faculty, who have primary responsibility for conducting the teaching and educational mission of the University, the University will not disestablish an academic department or academic program without prior consultation with a committee of Yale University faculty, to be selected by the FAS-SEAS Senate (for FAS-SEAS departments or programs), or faculty from the professional schools (if departments or programs of the professional schools). In cases of disestablishment faculty shall retain their employment by the University.

The University guarantees rights of academic freedom to all members of the faculty, regardless of rank or tenure status. ~~In~~ As the 1975 Woodward Report<sup>1</sup> makes clear, ~~the Committee on Freedom of Expression at Yale~~,<sup>1</sup> chaired by Professor C. Vann Woodward, wrote the following:

*The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function a free interchange of ideas is necessary not only within its walls but with the world beyond as well. It follows that a university must do everything possible to ensure within it the fullest degree of intellectual freedom. The history of intellectual growth and discovery clearly demonstrates the need for unfettered freedom, the right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable. To curtail free expression strikes twice at intellectual freedom, for whoever deprives another of the right to state unpopular views necessarily also deprives others of the right to listen to those views.*

Members of this University have freely associated themselves with Yale and in doing so have affirmed their commitment to a philosophy of mutual tolerance and respect. Physical restriction, coercion, or intimidation of any member of the community is contrary to the basic principles of the University. Consistent with the right to both free expression and peaceful protest that is recognized in Yale's guidance on free expression and peaceable assembly, ~~it~~ is also a violation of these principles and of the University's rules of conduct for any member of

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<sup>1</sup> *Report of the Committee on Freedom of Expression at Yale* (Yale University, January 1975), available at: <https://yalecollege.yale.edu/get-know-yale-college/office-dean/reports/report-committee-freedom-expression-yale>

the faculty, staff, or student body to prevent the orderly conduct of a University function or activity, such as a lecture, meeting, interview, ceremony, or other public event. It is similarly a violation of these principles to block the legitimate activity of any person on the Yale campus or in any Yale building or facility.

~~Academic freedom and the spirit of free intellectual inquiry are fundamental to Yale's mission.~~

Faculty members who believe they have been improperly restrained in the exercise of their academic freedom may seek redress under the provisions of Sections III.L, III.M, or III.N of this *Handbook*, depending on the nature of the alleged infringement.

## Excerpts from the original Faculty Handbook

### Introduction

The purpose of the *Yale University Faculty Handbook* is to present in a convenient form the most important University policies and practices as they apply to the faculties of the University. The policies included and referred to in this *Handbook* form part of the essential employment understandings between members of the faculty and the University.

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<sup>1</sup> *Report of the Committee on Freedom of Expression at Yale* (Yale University, January 1975), available at: <https://yalecollege.yale.edu/get-know-yale-college/office-dean/reports/report-committee-freedom-expression-yale>.