Resolution to Establish a Mutual Defense Compact for the Universities of the Big Ten Academic Alliance in Defense of Academic Freedom, Institutional Integrity, and the Research Enterprise

Whereas recent and escalating politically motivated actions by governmental bodies pose a significant threat to the foundational principles of American higher education, including the autonomy of university governance, the integrity of scientific research, and the protection of free speech;

Whereas the Trump administration and aligned political actors have signaled a willingness to target individual institutions with legal, financial, and political incursion designed to undermine their public mission, silence dissenting voices, and/or exert improper control over academic inquiry;

Whereas the Big Ten Academic Alliance represents not only athletic competition but also a longstanding tradition of academic collaboration, research excellence, and commitment to democratic values and shared governance;

Whereas the Big Ten Academic Alliance includes 18 universities with thousands of instructors serving over 600,000 students;

Whereas, the preservation of one institution's integrity is the concern of all, and an infringement against one member university of the Big Ten shall be considered an infringement against all;

**Be it resolved that** the Faculty Senate of the University of Michigan urges the President of the University of Michigan to formally propose and help establish a Mutual Academic Defense Compact (MADC) among all members of the Big Ten Academic Alliance;

**Be it further resolved that** under this compact, all participating institutions shall commit meaningful funding to a shared or distributed defense fund. This fund shall be used to provide immediate and strategic support to any member institution under direct political or legal infringement;

**Be it further resolved that** participating institutions shall make available, at the request of the institution under direct political infringement, the services of their legal counsel, governance experts, and public affairs offices to coordinate a unified and vigorous response, including but not limited to: Legal representation and countersuit actions; strategic public communication; amicus briefs and expert testimony; legislative advocacy and coalition-building; related topical research as needed.

**Be it finally resolved that** this resolution be transmitted to the leadership of all Big Ten universities and their respective governing boards and shared governance bodies, and that the President of the University of Michigan take a significant role in convening a summit of Big Ten academic and legal leadership to initiate the implementation of this Compact.

#### **Movants:**

Samuel Bagenstos, Frank G. Millard Professor of Law, Law School

Scott Greer, Professor of Health Management and Policy, School of Public Health

**Silke-Maria Weineck**, Grace Lee Boggs Professor of Comparative Literature and German Studies, LSA

Results: Yes 2761; No 214; Abstain 113- Motion PASSED

## Statement in Support of the Core Mission and Values of Higher Education in the United States of America

**Be it resolved that** the Faculty Senate of the University of Michigan adopts the following collaborative Statement in Support of the Core Missions and Values of Higher Education in the United States of America" drafted by governance leaders at universities in the Big Ten Academic Alliance.

Private and public higher education institutions in the United States have for over three centuries contributed to the public good, and the nation's global leadership position, through the advancement and sharing of knowledge, and by providing pathways for workforce development.

Research funding in universities is judiciously used to drive innovation, providing an exceptional return on investment that advances economic growth, health and well-being, scientific breakthroughs, national security, and cultural and civic development. Academic research and scholarly expertise are also vital to excellent teaching and training, ensuring that the U.S. workforce of the future remains globally competitive.

Higher education in the United States continuously sets standards for international excellence and attracts students and colleagues from all over the world. The contributions of international scholars, staff, and students to U.S. higher education are integral to its leadership position.

U.S. higher education's global excellence and public impact require working and learning environments that ensure opportunities for all. Initiatives that reduce discrimination are part of that imperative.

As recent challenges to funding and programming threaten to dismantle the core values and mission of higher education, at great detriment to the public at large and the U.S.'s international reputation, the undersigned faculty governance bodies affirm the following:<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> This resolution was inspired by the 2/19/25 <u>resolution</u> passed by the Faculty Senate of the University of Virginia, "Resolution on External Challenges to Faculty Roles and Responsibilities." It was drafted collaboratively by governance leaders at universities in the Big Ten Academic Alliance.

- 1. Public and private universities serve the public good and contribute to the U.S.'s national and global excellence, through teaching, research, and service.
- 2. Cuts to research funding in higher education will undermine scientific innovation, health, societal progress, and the U.S.'s leadership position, with long-lasting detrimental impacts.
- 3. Academic scholarship and research, through peer review and professional accreditation, lead to evidence-based expertise, not partisan viewpoints.
- 4. We support academic freedom and free speech, and those who exercise their rights thereto, citizens and non-citizens alike.
- 5. We oppose the targeted harassment of faculty members for their expertise.
- 6. We support the First Amendment of the U.S. Constitution which guarantees the right of people to peaceably assemble. All community members who engage in peaceful assembly, regardless of viewpoint or citizenship status, should have the opportunity to do so without retaliation.
- 7. We agree with the Department of Education that discrimination based on race, color, or national origin (Title VI), sex (Title IX), and disability (ADA) is reprehensible, affirming our legal and moral obligation as educational institutions not to discriminate based on these or other identifying characteristics. Initiatives that help to reduce such discrimination, when grounded in best practice, increase opportunities and ensure real meritocracy for all.
- 8. We affirm the essential role of transparent and collaborative shared governance in maintaining the integrity of our universities, and commit to its continued strengthening.
- 9. Lastly, we call upon faculty, students, staff, alumni, and community partners of our universities to unite in support of the core mission, values, and academic freedoms of higher education in the U.S.

#### **Movants:**

**Pauline Jones**, Edie N Goldenberg Endowed Director of the Michigan in Washington Programs, Professor of Political Science, College of Literature, Science, and the Arts and Research Professor, Center for Political Studies, Institute for Social Research

**Webb Keane**, George Herbert Mead Distinguished University Professor, Department of Anthropology, LSA

Kentaro Toyama, W K Kellogg Professor of Community Information, School of Information

Results: Yes 2843; No 146; Abstain 99- Motion PASSED

Resolution to continue DEI initiatives that are in alignment with our university values, an extension of the mission of our schools, and legally compliant.

**Whereas** inclusion, equity, and diversity are three of the six core values adopted by President Ono in his statement on U-M Workplace Values in January 2023;

Whereas data-driven research has consistently shown that more diverse, equitable and inclusive environments have a positive effect on student learning, scholarly innovation and research excellence;

**Whereas** university-wide DEI initiatives have had demonstrated impact on increasing access to higher education for low-income and underrepresented students, including an 87% increase in Black student enrollment in the past 5 years;

Whereas a <u>collective of law professors</u> who study and teach anti-discrimination law, education law, employment law, constitutional law, and civil rights law have concluded that federally funded institutions should not interpret the DEI-related Executive Order—Ending Illegal Discrimination and Restoring Merit-Based Opportunity—and the Department of Education Dear Colleague Letter as requiring the elimination or curtailment of existing DEI initiatives;

**Whereas** Michigan's Proposal 2, which bans preferential treatment based on race, ethnicity, gender, or national origin in public education, employment, and contracting, does not prohibit public institutions from seeking diversity, and only prevents them from using race as a factor in admissions or hiring decisions;

Whereas the University of Michigan's DEI efforts are compliant with local, state, federal, and constitutional laws;

Whereas, despite this legality and the fact that inclusion, equity, and diversity are core values, the university chose to eliminate the Office of Diversity, Equity, and Inclusion, to fire staff (the majority of whom are Black women) dedicated to evaluating, assessing, and implementing our DEI programming and to building more equitable, diverse, and inclusive communities;

Whereas these firings and the closure of ODEI have created a hostile institutional culture that indicates to segments of the staff, faculty and students that they are not welcome at the University of Michigan;

**Be it resolved that** the faculty Senate urges the University of Michigan executive leadership and board of regents to retain the Office of Diversity, Equity and Inclusion (ODEI), to publicly acknowledge its legality and moral right, to issue a formal statement of affirmation of these values, and to commit to defend them;

**Be it further resolved that** the University of Michigan executive leadership and board of regents immediately rehire the ODEI and Michigan Medicine employees who were fired into their same positions. If any of these employees no longer wish to hold their position, offer them comparable employment or severance, and ensure that these positions are immediately filled;

**Be it further resolved that** we, the Faculty Senate, urge the University of Michigan executive leadership and board of regents to apologize to the members of our community whose livelihoods were threatened, professional lives disrupted, and contributions to our institution demeaned and denigrated;

**Be it further resolved that** the President commit to supporting broad dialogue about important decisions impacting the UM community through transparent means. This includes holding town hall gatherings before enacting change. This also includes the President holding meetings with legacy student groups (Black Student Union, LaCasa, SAFE, NASA, AAUO) at a frequency that meets the needs of these organizations.

#### **Movants:**

**Stephen Ward**, Arthur F Thurnau Professor, Associate Professor of Afroamerican and African Studies, Director Academic Program, Semester in Detroit Program in the Residential College, Associate Professor in the Residential College and Associate Director of Faculty, College of Literature, Science, and the Arts

**Kevin Cokley**, University Diversity and Social Transformation Professor, Associate Chair, Department of Psychology, Professor of Psychology, College of Literature, Science, and the Arts and Professor of Education, Marsal Family School of Education

**John Carson**, Associate Professor of History and Director Academic Program, History, College of Literature, Science, and the Arts

Results: Yes 2123; No 574; Abstain 391- Motion PASSED

# Resolution Urging the University of Michigan to Protect International Students, Faculty, and Staff from Unwarranted Detention

Whereas the United States Immigration and Customs Enforcement (ICE) has in recent days detained international students and employees at Columbia University, the University of Alabama, University of Minnesota, Tufts University, Brown University, Georgetown University, Cornell University and other institutions; and

Whereas these students were legally studying in the United States, and several of them hold green cards; and

Whereas several of these detentions appear to have been motivated by the government's interest in punishing pro-Palestinian activists on university campuses; and

Whereas, in January 2025, the Department of Homeland Security <u>directed</u> that university campuses are no longer exempt from immigration law enforcement; and

Whereas there were 8,625 international students enrolled at the University of Michigan in Fall 2024; and

**Whereas** there were 1,918 international faculty and staff employed at the University of Michigan in Fall 2024; and

Whereas the University of Michigan offers some legal support for international students (in the form of a retained counsel immigration program that provides a free 90 minute consultation for students), but no similar program exists for faculty and staff;

**Be it resolved** that the Faculty Senate of the University of Michigan urges the President and the university administration to adopt, insofar as legally possible, a policy of non-compliance with ICE; and

**Be it resolved** that, insofar as legally possible, the University of Michigan will not share information or data that would allow ICE to identify, locate, or apprehend University of Michigan students, faculty, and staff; and

**Be it resolved** that the University of Michigan empower and instruct all units to establish, as places of sanctuary, a room or rooms that are legally outside the reach of ICE agents; and

**Be it resolved** that the University of Michigan provide recommendations of best and safest practices for international students, staff and faculty who must travel outside the US, to minimize the chances that they will be denied entry; and

**Be it resolved** that the University of Michigan establish a program of legal support for international staff, students and faculty. In the event of visa revocation and / or possible immigration detention, the University shall provide the affected student, faculty, or staff member with immediate legal representation by specialized immigration counsel; and

**Be it finally resolved** that the University of Michigan make accommodations to ensure that students who are obliged to flee the country can complete their degrees in a timely manner, even if their visas are revoked, and are given continued access to funding and tuition support.

#### **Movants:**

Derek R. Peterson, Ali Mazrui Collegiate Professor of History and African Studies, LSA

Kirsten Herold, Lecturer IV, School of Public Health

Rima Mohammed, Clinical Professor, Department of Clinical Pharmacy, College of Pharmacy

Emmanuelle Marquis, Professor of Materials Science and Engineering, College of Engineering

Results: Yes 2744; No 203; Abstain 141- Motion PASSED