Reining in the Faculty

New Republican state laws aim to weaken professors' influence in decision-making.



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UNSHARED GOVERNANCE

By Sarah Huddleston August 25, 2025

Come September 1, many public universities in Texas won't have faculty senates.

That's because a new Texas law grants university boards the authority to approve or abolish faculty-governance bodies. During meetings this month,

the boards overseeing the Texas State University and University of Texas systems granted campus presidents the ability to create faculty advisory groups, but it did not authorize any current faculty senates, effectively eliminating them.

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Indiana and Utah, meanwhile, have passed bills that declare faculty senates and councils "advisory only" and limit the scope of that role to academic matters.

The flurry of legislation signals how Republican politicians have sought to clamp down on faculty senates' power, arguing that they're full of progressive ideologues spreading "woke agendas" that exert too much control over a university's operations. The effort's roots go back to 2015, when Wisconsin Republicans approved a bill that relegated faculty senates to an advisory-only position. (A bill introduced in December 2023 to repeal that provision failed to pass.) In 2024, Arizona Republicans passed similar legislation, but it was vetoed by the Democratic governor.

In July, scrutiny of faculty governance made it to the federal level: The U.S. Department of Justice requested emails from George Mason University's Faculty Senate leaders and drafts of a resolution passed in support of the university's president, a target of President Trump's war on diversity, equity, and inclusion programs.

Faculty senates have never had the power to make unilateral decisions. But many faculty leaders fear that these laws carve a path for administrators to sidestep faculty advice altogether and narrowly interpret the circumstances in which professors are even allowed

to weigh in. As they see it, faculty members should have a say in anything that could affect the university's academic functioning and should be able to express grievances against their administrations, whether through resolutions or votes of no confidence.

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While faculty members who spoke to *The Chronicle* acknowledge that administrators' hands are tied, some see an acute threat: that seemingly minor policy changes will gradually render the faculty powerless. Philip Goff, co-chair of Indiana University at Indianapolis's Faculty Council, known as the UFC, raised that concern at a June board meeting where the trustees were discussing the state's new law regulating senates, House Bill 1001.

"For many, today's changes beg the question: What is the role of the UFC at all?" Goff said in his remarks, shared with *The Chronicle.* "If, as those actually doing the research and teaching of classes, the UFC cannot play a formal advisory role in the creation and maintenance of policies as the responsible office, what will it do?"

Paul Bettencourt believes faculty senates needed to be reined in because they are "wasting time on public policy issues." Bettencourt, a Republican state senator in Texas, was a co-sponsor of Senate Bill 37, the legislation that overhauled faculty governance.

Bettencourt said that faculty senates too often have weighed in on matters outside of curriculum changes or faculty personnel decisions. "Let's get everybody focused on educational attainment and higher education again, instead of chasing three-letter federal

acronyms and doing resolutions of no confidence," he said. "The faculty senate is not the Texas senate. It's not a legislative body. Stop acting like it."

As an example of faculty overreach, Bettencourt cited an open letter signed by more than 500 faculty members at the University of Texas at Austin. That letter declared that signatories had no confidence in the president, in part citing the university's decision in 2024 to call law enforcement to break up a pro-Palestinian encampment.

Texas's Senate Bill 37 stands out among state laws, enacting the most sweeping changes to campus governance. In addition to giving university boards the power to establish and dissolve faculty bodies, it imposes size and term limits. Half of a faculty council's members must be appointed by the president, rather than elected by faculty vote. The institution's president or chief executive officer appoints the faculty council's three highest positions — presiding officer, associate presiding officer, and secretary — from that membership pool. Faculty bodies also cannot issue statements on matters outside of their academic jurisdiction if those statements include institutional insignia.

The legislation's origins took shape in 2024, when Texas' lieutenant governor, Dan Patrick, said that reforming the state's faculty senates was one of his legislative priorities. Gov. Greg Abbott then railed against faculty who "have increasingly pushed woke agendas" in his February State of the State address.

While lawmakers say they believe faculty senates should focus on academics, Wynne Chin said they already do. Curricular recommendations, tenure, faculty grievances, hiring, and new program approval are most of their workload, said Chin, a professor at the University of Houston's business school and the treasurer and former president of the Texas Council of Faculty Senates.

Faculty leaders discussing how campus governance should work like to talk about the triangle. According to the American Association of University Professors' widely adopted 1966 Statement on Government of Colleges and Universities, the three main institutional bodies — the board, administrators, and faculty members — should hold primary responsibility over areas of university functioning that align with their expertise. The

statement stresses that professors should also be involved in discussions about campus facilities, presidential searches, selection of academic administrators, and budgetary matters because they could affect academic programs.

Chin offered an example: He was involved in a recent meeting in which administrators said that they would shut down a building elevator for a month for maintenance, without realizing that one of the department chairs that worked in the building used a wheelchair. The shutdown was reduced to one week.

Similarly, when the university conducted an evaluation of salary competitiveness, faculty leaders worked with administrators to clean and analyze the data.

Typically, academic changes, like new courses, originate at the department level before proceeding to various working groups and committees on which people across the university sit. Even though all corners of the university have their hands in the decisionmaking process, "it's under the auspices of the faculty senate to manage," Chin said. He compared it to middle management, coordinating between departments and administrative bodies.

Without the faculty senate, he fears things won't run as smoothly.

Houston's chancellor turned to shared governance to interpret Senate Bill 37 — pulling together a committee of deans, department chairs, vice presidents, and faculty members to draft new senate policies before the board's August meeting. Ultimately, the board signed off on dissolving the existing faculty senate and on bylaws for a new faculty council, which will "advise" administrators on "matters related to the general welfare of the institution, including curriculum, faculty affairs, as well as research and scholarship."

University of Houston's president and chancellor, Renu Khator, said at the meeting that senior leaders decided to "establish a new framework before the last one expires, so we don't have any lapse."

Faculty-council elections will occur in September, with the first meeting scheduled for October. But in the interim, David Mazella and Maria Gonzalez, both associate professors

of English, created a "Faux Faculty Senate," to provide space for faculty members to congregate.

It's less of a policymaking body and more of "a drinking club, or a Scrabble club," said Mazella.

"It's a little tongue in cheek," said Gonzalez, but with half the faculty council appointed by the president, "we really do plan to have conversations with our colleagues."

A prevailing fear among faculty leaders is that these laws will tie them into knots over what they can or cannot say.

At their monthly meeting in February over Zoom, members of the University of Utah's Academic Senate began discussing a potential resolution expressing grievances with their provost, Mitzi Montoya — focused on concerns that she had sidestepped shared governance in trying to approve a new academic program.

Moments into the discussion, the university's president, Taylor Randall, interrupted, according to several faculty-senate members who were present. Randall said that weighing in on administrative actions fell outside the scope of their authority and "in contradiction of the law," *The Salt Lake Tribune* reported.

That law was Senate Bill 192, a broad higher-education bill passed in 2024 that included limiting the faculty's jurisdiction to just "academic requirements for admission, degrees, and certificates" and "course curriculum and instruction." According to the legislation, the president is also responsible for "enacting and implementing rules" for "the constitution, government, and organization of the faculty and administration."

"It gives all of these powers to the president of the university, and it leaves it up to him to decide whether or not to exercise them," said Katharine Coles, a professor of English who has been involved with the Academic Senate since 1999. "He would like to be able to go into a meeting and have us be well behaved because we're under the threat of him exercising all of these powers."

In March, Randall issued a memo to the Academic Senate outlining Senate Bill 192's provisions and announcing that, in accordance with the law, the university would review all areas in which faculty had jurisdiction. "Each of those regulations will need to be reviewed and then either reaffirmed or revised as appropriate," he wrote. "As always, all such regulations must be approved by me and potentially the trustees."

Now, the faculty senate is taking up issues dictated by the president, rather than setting its own priorities. The office of legal counsel told faculty senators this spring that their role is to offer counsel and advice to the president, said Sydney Cheek-O'Donnell, a member of the senate's executive committee.

Since the February meeting, Randall has seemed amenable to allowing the faculty senate to speak on issues outside of strict academic affairs, professors said. (Senate Bill 192 lets the jurisdiction of faculty speech widen *if* the president grants approval.) In August, members discussed a draft letter proposing potential steps to strengthen shared governance, including an explicit policy that the president should routinely seek out Academic Senate input as part of its advisory role.

Faculty leaders at the University of Kentucky also say their speech is being restricted.

They're no longer allowed to talk to news media without going through a public-relations representative, said Jennifer Cramer, president of the university's AAUP chapter and a member of the University Senate council. (Faculty can still speak in their own personal capacity, according to Jay Blanton, a Kentucky spokesperson.) The agenda for Faculty Senate meetings must be approved by the provost or provost's office in advance, said Cramer. She said the provost and his staff have been "very prominent in these meetings" — a contrast from past years.

At Kentucky, the Republican legislature has pushed through reforms to higher ed, including banning diversity, equity, and inclusion programs at public colleges. But the shifts in shared governance were spearheaded by the president and board.

In 2024, what had been a campuswide University Senate was split into separate, advisory-only faculty, student, and staff governing bodies — an idea that the president, Eli Capilouto, and the university's trustees argued was necessary to ensure that all voices were heard. Students and staff "felt they had no voice and no seat at the table," according to Blanton. Students and staff "endorsed" the changes, he said.

An interim faculty senate was assembled for last fall, with membership from each of the university's colleges. That body created the new senate's policies and held elections this past fall.

Capilouto initially told existing faculty senators that they could be part of the interim group. But he reversed himself after the faculty senate voted no confidence in his leadership, primarily over shared-governance concerns, said Cramer, the AAUP chapter leader.

In Texas, Senate Bill 37 does not outright ban faculty bodies from taking votes of no confidence, though it does mandate that the names of faculty members present at meetings that include such discussions be made public.

It also mandates that faculty senates and councils "may not be used to obstruct, delay, or undermine necessary institutional reforms or serve as a mechanism for advancing ideological or political agendas." But what constitutes an "ideological or political agenda" is ultimately subjective, said Brian Evans, president of the Texas conference of the AAUP, which is affiliated with the Texas American Federation of Teachers.

Administrators can also now remove faculty senators from their positions if they fail "to conduct [their] responsibilities within the council's or senate's parameters."

Coupled with Senate Bill 18, earlier legislation that allows universities to dismiss tenured faculty members for misconduct, including violating state law, Senate Bill 37 "is pretty chilling," Evans said. Running afoul of the new faculty-governance restrictions could lead to termination, he said.

"It's a muzzling of speech."

The faculty senate has long been the place for the professoriate's collective voice.

Now faculty members must reckon with a world where outside critics are increasingly emboldened to limit what that voice should say.

Peter Wood, president of the National Association of Scholars, a conservative advocacy group, thinks there should be checks on faculty influence. Wood said that faculty members should have some say in who presides over their institutions, but so should boards and state governors.

He believes votes of no confidence are a "gray area." And while curricular or academic-programming decisions should be within a faculty senate's scope, "when faculty senates get onto topics like whether the institution should adopt a Boycott, Divest, Sanction resolution against Israel, or whether the university should take a stronger stand on how to respond to global warming, I think they overstep their bounds."

Todd Wolfson, president of the national AAUP, called lawmakers' complaints about ideological agendas a "purposeful deception." At Rutgers University at New Brunswick, where he is an associate professor, the university senate is home to many faculty members teaching outside of the humanities, including in physics, biology, engineering, and psychology — what he called "largely nonpolitical subjects."

"But the story that they're telling about higher ed is that everyone is these ideologues indoctrinating their students, and they're using that narrative in order to bring universities to heel," Wolfson said.

The AAUP believes it has a key role to play in pushing back against the Trump administration's intrusion into campus operations — a message that's increasingly resonating across the Ivy League — and filling gaps left by weakened campus governance. Faculty members at both the University of Kentucky and the University of Utah are looking to grow their AAUP chapters, according to their chapter presidents.

But at Indiana University at Bloomington, that might be an uphill battle, said Noor Borbieva O'Neill, a professor of anthropology at the university who leads the AAUP's Indiana Conference. "Most faculty have no clue what the AAUP is and why it's important."

Timothy R. Cain, associate director of the Louise McBee Institute of Higher Education

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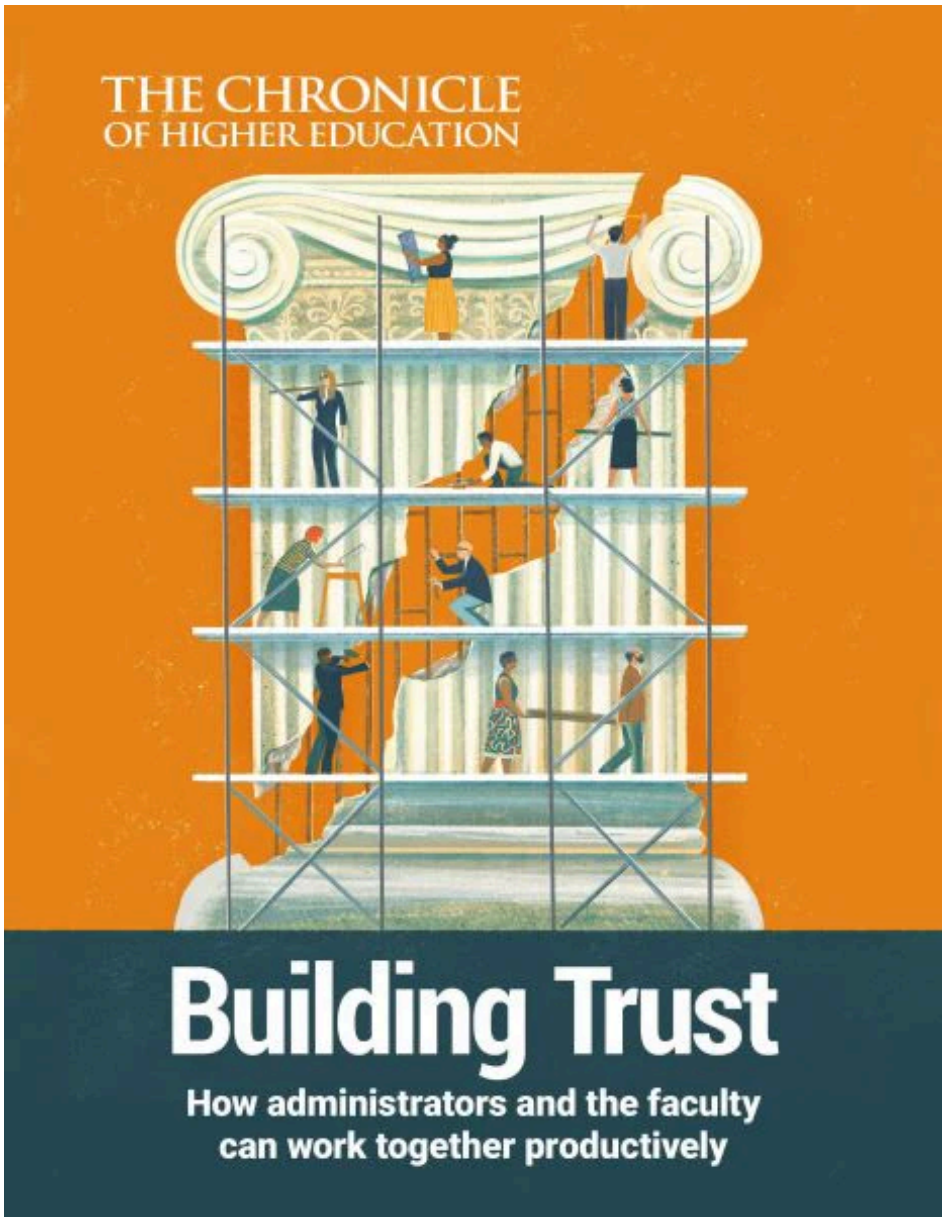


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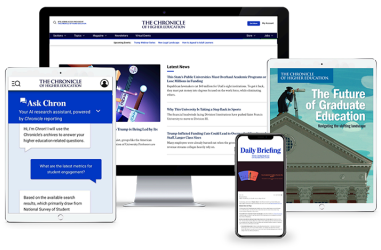
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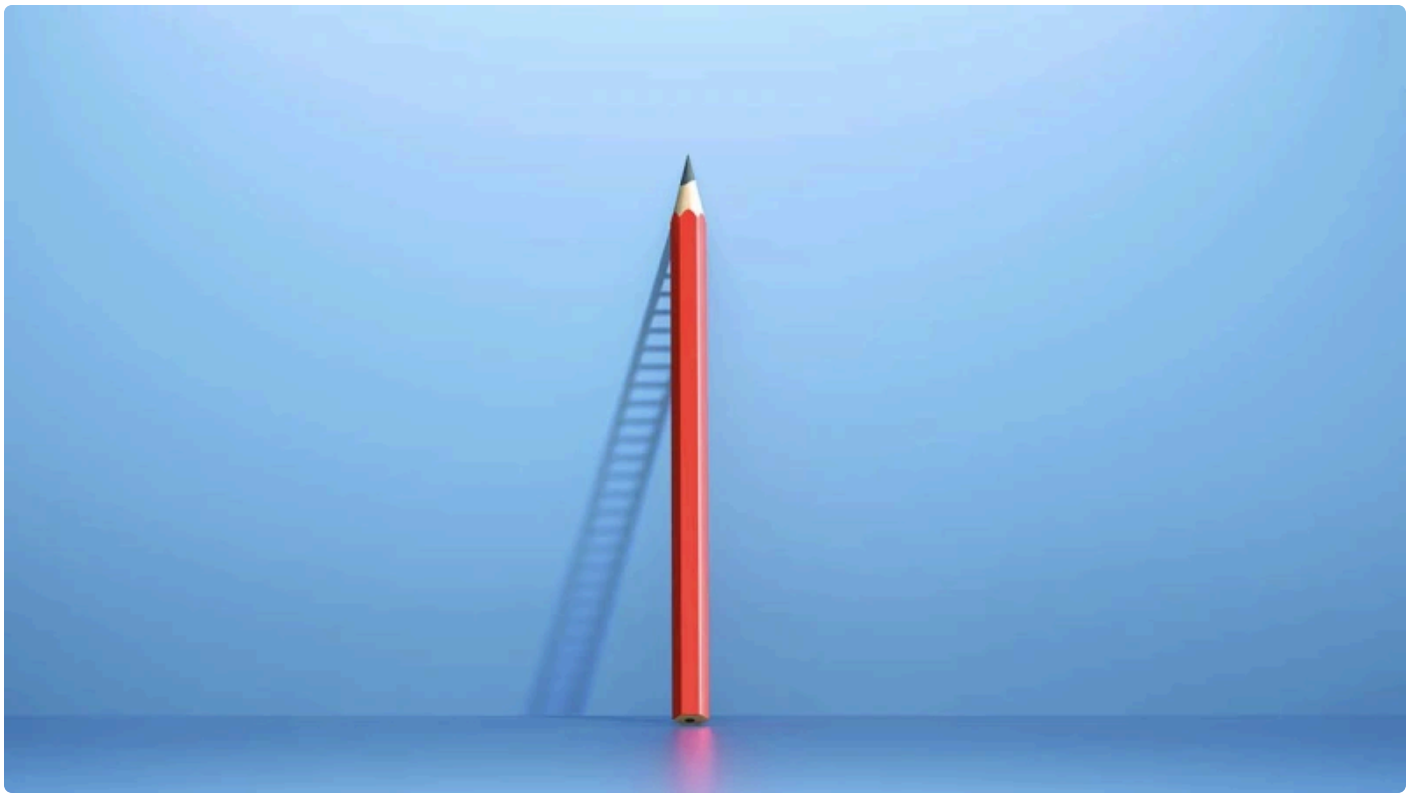


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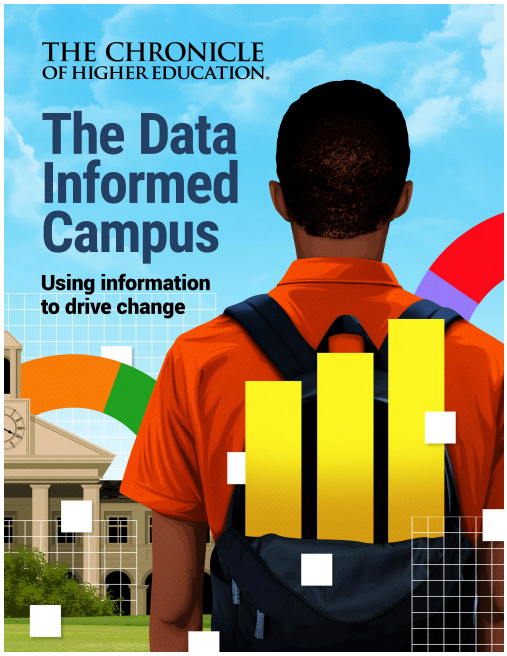
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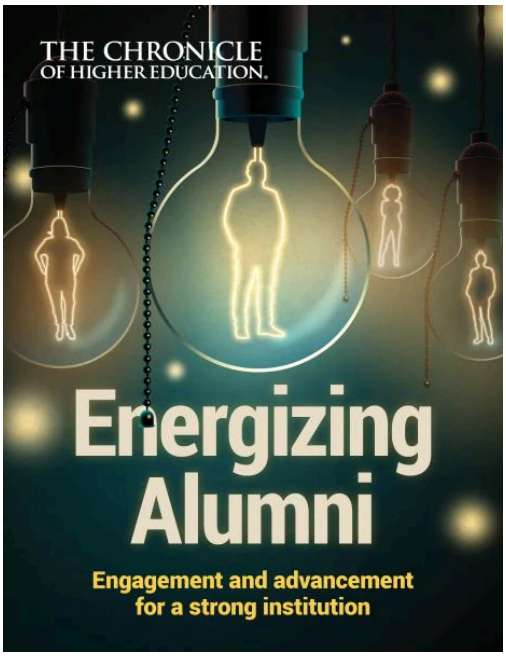


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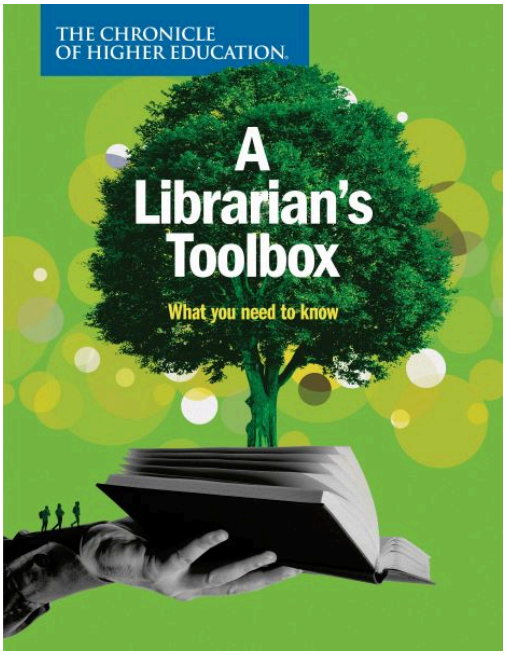
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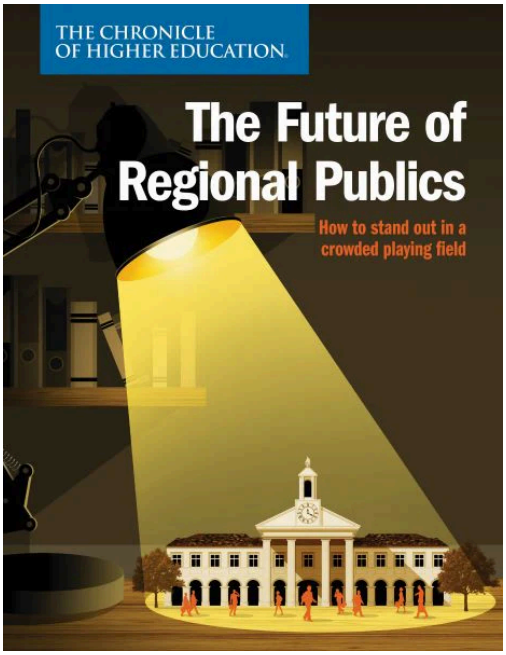
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