

## **Resolution Condemning the Cancellation of Professor Eric Cheyfitz's Classes and Threats of Further Severe Disciplinary Action**

**Whereas** Cornell University Policy 6.4 sets forth procedures for the investigation and resolution of allegations of discrimination by and against Cornell faculty, staff, and students;

**Whereas** Cornell University policies are developed in a multi-stage process with input from the Policy Advisory Group, whose standing members include the University General Counsel;

**Whereas** a student filed a complaint in the Spring 2025 semester alleging that Professor Eric Cheyfitz, the Ernest I. White Professor of American Studies and Humane Letters in the Department of Literatures in English and a member of the American Indian and Indigenous Studies Program, had discriminated against him based on his Israeli national origin;

**Whereas** the facts supporting the student's complaint were reviewed by the Faculty Senate's Committee on Academic Freedom and Professional Status of Faculty (AFPSF) pursuant to Policy 6.4, and the six members of the committee unanimously concluded that there was insufficient evidence of discrimination;

**Whereas** the AFPSF Committee simultaneously found that the issue of sanctions need not be considered, as there was insufficient proof to sustain the student's allegations;

**Whereas**, Cornell Policy 6.4 requires that the Committee on Academic Freedom and Professional Status of the Faculty "will not find the [faculty member] responsible unless the Committee, after evaluating all of the evidence, is satisfied that the charge has been proven by clear and convincing evidence";

**Whereas** the US Department of Education Office for Civil Rights (OCR) describes university "provision of grievance or complaint procedures" as "appropriate responsive action" to complaints of discrimination based on race, color, or national origin" under Title VI, and does not describe a particular standard of proof that universities must use in their grievance or complaint procedures [Fed. Reg. Vol. 59, No. 47 (1994); 34 CFR Part 100];

**Whereas** Cornell Policy 6.4's use of a "clear and convincing" evidence standard comports with the academic due process standards for imposing severe sanctions, as set forth in the American Association of University Professors "Recommended Institutional Regulations on Academic Freedom and Tenure";

**Whereas** Policy 6.4 plainly states: "The dean or equivalent unit head must accept the [AFPSF] Committee's findings of fact and conclusions;"

**Whereas** the Dean of the College of Arts and Sciences disregarded the mandate of Policy 6.4 and instead recommended that Professor Cheyfitz be suspended without pay for two semesters;

**Whereas** the Provost likewise rejected the unanimous conclusion of the AFPSF Committee, ordered new disciplinary proceedings against Professor Cheyfitz, and cancelled his classes for the Fall 2025 semester, entitled “Contemporary Native American Fiction” and “Thinking from a Different Place: Indigenous Philosophies”;

**Whereas** the failure of the Dean and the Provost to accept the findings of the AFPSF Committee is a clear violation of University Policy 6.4;

**Whereas** the convening of a new disciplinary proceeding against Professor Cheyfitz under Cornell Faculty Handbook Section 6.6 was unwarranted and violated principles of due process;

**Whereas** Cornell Faculty Handbook section 6.6 describes an “emergency suspension” as one that is “pending the ultimate determination of the faculty member’s case where the faculty member is charged with misconduct and his or her continuance threatens imminent, serious harm to the member, to others, or to property,” and there was no such evidence in Professor Cheyfitz’s case;

**Whereas** the cancellation of Professor Cheyfitz’s classes in Fall 2025 violates the standards of Cornell Faculty Handbook section 6.6 and amounts to punishment without process;

**Whereas** the University’s punishment of Professor Cheyfitz coincides with enormous government pressure on universities to restrict expressions of support for Palestinians’ human rights;

**Whereas** the University’s actions represent a serious attack on academic freedom;

**Be it therefore resolved** that the Faculty Senate censures the central administration of Cornell University for its failure to follow the procedures set forth in University Policy 6.4, including its failure to accept the findings of the AFPSF Committee, as well as its violation of Faculty Handbook Section 6.6 by imposing a severe sanction of a “temporary suspension” on a Cornell faculty member before any findings of wrongdoing;

**Be it further resolved** that the University renew its commitment to protecting academic freedom, even in the face of political pressure.

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