

THE AAUP REAFFIRMS GRAD EMPLOYEE AND STAFF RIGHTS
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According to University of Illinois President Joe White and his Ethics Office, a UI secretary, carpenter, graduate employee, academic professional or faculty member is in violation of the university's regulations if one of them returns to campus at night to attend a political rally. Wearing a campaign button at the rally would make them doubly unethical.

The US constitution guarantees freedom of assembly and freedom of speech. Does the university have an interest that would justify overriding these rights for employees, something it knows it cannot do for students, who retain their rights as citizens when they walk across the campus? The state has an interest in ensuring that its citizens are not deprived of information—including that revealed in political rallies—that helps make them better-informed voters. Does the university have a stronger interest that would override the value of your access to the political process? The AAUP believes the answer to these questions is “no.”

Should a staff member be free to attend a rally or answer a political call on his or her cell phone during lunch hour? The university says “no” and the AAUP says “yes.” Should a supervisor be free to decide an office can survive with reduced staff for an hour at other times and let employees attend a rally, assuming they use vacation time or agree to make up the time? The university says “no” and the AAUP says “yes.”

President White urges that faculty and staff use common sense and recognize the rules will not be enforced. One may certainly agree it would have been better had the Ethics Office used common sense. It is also notable that courts are typically not sympathetic to the argument that unconstitutional rules or laws can remain on the books just because a given official pledges not to enforce them. Such regulations might well be enforced—even enforced selectively—by a future administration, especially if the campus' collective attention is focused elsewhere. Meanwhile, many are reluctant to do things the administration tells them are prohibited or unethical. Anecdotal responses suggest a chilling effect has already settled over the Champaign-Urbana, Chicago, and Springfield university communities. It goes well beyond the specific prohibitions embodied in the memo. Yet a counter-response is also in evidence, as faculty, staff, and graduate employees feel even more determined to assert their political rights.

These new regulations thoughtlessly embody a number of absurdities. As the regulations now stand, an employee could walk out on the quad, lift up a megaphone, and publicly announce his or her support of a candidate for office to all attentive passers-by. But you would be in violation of university rules if you wore a campaign button while doing so. An instructor could talk to a class about his or her political beliefs—a principle explained at length in the AAUP's statement on “Freedom in the Classroom”—but the teacher would be in violation of university policy if he or she wore a campaign button while doing so. A graduate student supported by a fellowship retains full political speech rights, but one employed as a TA would have to think twice before wearing a candidate t-shirt in university housing. Our bodies are not state property.

There is indeed a special irony in the fact the UI sent its new regulations to graduate employees. The administration spent over a decade insisting they were students, not employees. Now, even though they are employed part-time, the Ethics Office decides

they are employees 24/7. The common element in these contradictory positions is clear enough: the university will take whatever stance undermines graduate employee freedom and self-determination. A number of state courts have taken a different position on this matter: graduate students are employees when they are performing compensated work, like teaching a class, and they are students when they are taking a class. When teaching a class, graduate students should have the same freedom of expression as faculty members; on campus they have the same rights as all students to participate in the political process.

The university has disingenuously claimed it is merely communicating state law, but it has clearly added new regulations of its own. Nor is it credible to imagine the president's office did not approve these regulations beforehand. The university community has a right to know everything about the process that brought these regulations into existence. Sunlight and solidarity should be its twin goals. Faculty, staff, and students should stand together to restore our professional and personal rights.

The AAUP calls on President White to repudiate this policy and withdraw it immediately.

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