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BURLINGTON VERMONT. United Academics, the union representing more than 700 faculty at
the University of Vermont, has released a resolution criticizing recent actions by the
administration of Vermont Law School, particularly the revocation of tenure for 75% of the
faculty. The resolution calls for them to change course and find a way to cut costs that stays
within professional norms. The American Association of Law Schools, of which VLS has been a
member since 1982, subscribes to the AAUP’s 1940 Statement of Principles of Academic
Freedom and Tenure. The resolution accuses VLS leadership of abrogating those principles
when it revoked tenure for 75% of its faculty and then required faculty to sign non-disclosure
agreements prohibiting them from criticizing the actions or lose their jobs. “Those principles are
not optional for a serious institution of higher education,” according to the resolution. “They form
the fabric of academic professional life.”

Asked what the consequences of the tenure revocations for VLS might be, UA President Tom
Streeter said, “VLS is a very fine law school with a unique and professional faculty. I know that
AAUP is investigating the situation at VLS. AAUP will need to follow their procedures, but it
certainly seems to me the violations of the 1940 Statement are transparent and egregious. I
can’t imagine how that will help VLS recruit more students.”

Full text of statement:

The Executive Council of United Academics, the faculty union of the University of Vermont,
calls on the leadership of Vermont Law School to restore tenure to its faculty. The principles
laid out in 1940 Statement of Principles on Academic Freedom and Tenure define academic
professionalism in the United States, and create the framework of disciplined free inquiry
that is necessary to the advancement of knowledge.

Those principles are not optional for a serious institution of higher education. They form the
fabric of academic professional life. The framework the principles create has, for example,
helped nurture productive formal and informal relationships between UVM and VLS faculty
over the years. If VLS continues on its course, it might become harder to maintain those
relationships; granting agencies, accrediting institutions, and the like will find it harder to
support an institution that has isolated itself from national professional standards.

The 1940 rules contain mechanisms for dealing with tough financial situations, which are
used by institutions all over the United States on a regular basis. Program reductions and
other cost savings are always a possibility, and if an institution declares financial exigency
according to the rules and fully cooperates with faculty in developing solutions, releasing
tenured faculty is a possibility. But the leadership of VLS did none of that. Faculty were
informed of the financial problems, but the “solutions” were worked out behind closed doors,
with no respect for professional norms or academic freedom. This is not practical decision
making in hard circumstances; it is folly.

The leadership of VLS needs to go back to the drawing board and develop solutions to its
financial difficulties that keep the institution within the framework of academic freedom.

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