

Advisory Committee on University Resource Management (ACURM) Meeting

Meeting Minutes for OPEN Virtual Meeting on March 7, 2024

Attendees

- **Present:** Scott Frickel, Melvin Rogers, Kurt Teichert, Tessa Tomkinson, Michael Santoemmo, Sophie Purdom, Daryl Twitchell
- **Absent:** Erica Larschan, Chris Geib-Ayala, Tiffany Amaral, Sara Cunningham, Keenan Wilder

Agenda

- Have a discussion with Kristina Mendicino on academic freedom
- Discuss the Princeton dissociation process and understand the timeline and committees

Notes

- Kurt, opening remarks, set goal for the day (discussion with Kristina Mendicino on academic freedom) and introduce Kristina
- Kristina, highlight importance of AAUP briefing document
 - Goal to highlight academic freedom from corporations
 - Document revised in 1925 and in 1940, became the key document for Academic Freedom and further comments were made in 1970
 - Highlights freedom in the classroom, in research and freedom to speak or write as citizens. Highlights faculty responsibility to at all times be accurate
- Kristina, addressing debate of the committee on dissociation from fossil fuel industry, and the intersection of gift acceptance policy and academic freedom:
 - Share what the AAUP has published regarding corporate influence on the University:
 - Basic principle (mentioned in Mark Harley's webinar): faculty should have the freedom to seek support for their research from corporate donor
 - However, donor funding can also influence the academic enterprise in ways that limit academic freedom
 - Example of Brown research from 2011- conflict of interest:
 - Professor David G. Kurn, who served as a faculty member in Brown School of Medicine, worked as a clinician in Brown's hospital. Received 2 patients in 1990 with respiratory issues, both who worked in the same firm, Microfibers. Firm owners sat at the board of the hospital and invested in it. Kurn went to the firm to do air quality research.
 - Identified lung outbreak in factories, flock worker's lung, patient's lives were at stake

- Microfibers threatened to sue, Brown officials said that he should not publish or present what he found. Based on the confidentiality agreement that Kurn signed before going to visit the firm, he could not publish it.
- Kurn argued that confidentiality would only apply to trade secrets. Kurn's occupation was closed. President Vartan Gregorian and president of the Brown hospital shut down his occupational health program.
- 100+ letters were addressed to Brown protesting his treatment by Brown
- Considerations: what are the terms of the contract? What limitations could a certain type of partnership impose on research and its ability to serve the public good?
- Possibility of compromising research when it comes to fossil fuel industry in particular, example of Koch's donor network:
 - Journal of the AAUP winter 2023 issue, article "Protecting Academic Freedom with Transparent Funding": documents the systematic organization of Koch's donor network to foster particular commercial and political interests through partnerships with the academy; Koch exerts control on faculty using carefully worded contracts
 - Koch-funded professors have helped legitimize Koch Industries work:
 - Example is George Washington University regulatory center, has promoted misinformation regarding the fossil fuel industry
 - Received over 1 million dollars from Koch Foundation and Exxon Mobil
- Donor conditions "red flags":
 - Do they allow donors to directly influence programming and vet guest lectures?
 - Do they allow donors to withdraw funding at the donor's discretion?
 - Are donors represented on the search committee?
 - Confidentiality is a big issue because on one hand because all donor agreements are confidential
 - Highlights importance of having guardrails in place to protect academic freedom from such influence, Brown set up (Tuesday 03/05) a Gifts and Grants Committee to ensure engagement with donors is aligned with gift acceptance policy
- Kurt, thanks Kristina for talk, opens Q&A

Q&A

- ACURM, point out difference between Brown's obligation to protect individual faculty from unfavorable corporate influence and freedom of faculty to pursue any research with funds from corporations
- Kristina, difficult to come up with a formula to protect all faculty and promote academic freedom

- Points to another example of Brown faculty, prof Martin Keller, lawsuit filed against him as his raw data did not align with the articles he wrote on a particular anti-depressant drug
- Hard to draw line between "freedom to" and "freedom from"
- Role of University as an institution of public good, do we look at this exclusively in an individualistic way or do we create a space where results that may be unpopular or not profitable are also encouraged?
- It is important that whatever decision is made, it should involve those who are actually conducting the research, which is the faculty
- ACURM, appears that the mistake with the Kurn case was signing confidentiality agreement. Is it better to recommend that Brown takes measures to limit corporate influence on research? Instead of banning all faculty from receiving funding from a given industry
- Kristina, mention document on vetting with key considerations
 - Highlight that vet agreements are all confidential
 - Hard to get information to best assess where Academic freedom could be compromised; Brown's gift committee members all signed NDAs
- ACURM, vetting committees already in place function to assess whether the vetting agreement that a faculty member might sign is in alignment with Academic Freedom principles
- Kristina, on new Gifts and Grants Committee:
 - Where the filtering happens is in the Advancement Office. They work on contracts and think about whether a particular donor is suitable
 - New committee can look at random sample of recent approvals of Advancement Office and do further diligence
 - Anything over \$1 million dollars receives more due diligence efforts; reputation of donor is also a key consideration, even if the donor contract itself is in agreement with Academic Freedom principles
- ACURM, points out key differentiation:
 - Is the argument about the University inserting itself on behalf of faculty members to protect faculty members from themselves?
 - Or is the argument the fact that the actions of faculty members could affect the reputation of the University?
 - Request by Sunrise seems to be based on this argument (Brown as an education institution should not be receiving funding from fossil fuel industry)-- this argument raises the most concern on academic freedom
 - Potentially Brown inserting itself to guide faculty members and make it clear on what it means to receive funding from fossil fuel industry-- less Academic Freedom concern

- ACURM, point out that it appears more likely that individual members of a department, as governors of a self-governing body, ban fossil fuel funding from that specific department than Brown make a decision on behalf of all departments
- Kurt, fundamental component of Sunrise: even if the individual contract meets all the requirements of the University, it still raises the issue of engaging with a company and giving it legitimacy. What are academic freedom concerns in that case?
- Kristina, points out past dissociations/ divestments:
 - Brown has divested from tobacco;
 - George Washington has divested from fossil fuels but University still allows for donations that support research on the Koch center has continued (no dissociation);
 - Where AAUP stands: shared governance is key. How is faculty engaged in the process of restriction of funds?
- Kurt, could we raise Scott's point on department divestment to a scenario where all Brown faculty agree to divest?
- ACURM, look at the question of social harm. Who is being harmed?
 - Harm that could be caused to junior professor (or to Brown) if they are recruited to Brown and come with fossil fuel funding but cannot use this funding at Brown
- Kristina, mentions harm in the Kurn case
 - Kurn lost his entire career due to corporate interests and Brown's desire to keep funding from Microfibrers
- ACURM, if Brown is actually committed to restricting funding from fossil fuels, there is a way to get around the kind of harm that comes from a lack of funding for professors that rely on funding from the fossil fuel industry
- Kristina, link in chat
 - <https://www.aaup.org/article/academic-freedom-and-corporate-university>
- Kurt, role of the University in compensating funding lost after dissociation
 - Look at precedents made by other schools
 - Individual members of laboratories can chose to not be associated with a specific source of funding, but in most cases that turns out to be an employment decision
 - Can we consider the fossil fuel industry as a legitimate donor given it has been proven to promote misinformation? Koch funding is the strongest evidence for the lack of legitimacy of fossil fuel funders.

Dissociation at Princeton:

- Kurt, summarize timeline and committees that are outlined in [Princeton briefing doc](#)
 - There is a short list of companies that Princeton has pointed as subject to dissociation
 - Our research has to help unpack much more of the details of Princeton's dissociation

Stanford:

- Kurt, Stanford recently went through the process of deciding whether their new sustainability department would be able to receive funding from fossil fuel industry, recently established committee along the lines of Faculty Committee at Princeton and the new Brown Gifts and Grants Review Committee
- ACURM, Princeton mentions creating a supplemental funding source to support scholar's research (similar to Princeton); Princeton discusses more divestment from dissociation
- Kurt, notes that Princeton made a public announcement about divestment because of the misalignment in values with the fossil fuel industry; Brown's Investment Office clearly communicated that the decision was fundamentally fiduciary, influenced by concerns about financial risks
- Kurt, highlight importance of continuing discussion asynchronously before next meeting