

November 3, 2022

Delivered via email to sabrina.conza@thefire.org

Sabrina Conza
Program Officer, Campus Rights Advocacy
Foundation for Individual Rights and Expression
510 Walnut Street, Suite 1250
Philadelphia, PA 19106

RE: October 14, 2022, Letter Regarding University of Arizona Committee on Academic Freedom and Tenure

Dear Ms. Conza:

Thank you for your letter of October 14, 2022. It appears from your letter that there is still some confusion around this matter. You assert in your letter that, “It is uncontested that a single U of A staff member had the power to, and ultimately did, exclude Professors Keith Maggert, Matthew Abraham, and Wei Hua Lin from the CAFT ballot.” Our October 3, 2022, letter is clear that we do, in fact, contest the allegation that a single university staff member “had the power to, and ultimately did” exclude these faculty members from the CAFT ballot.

The University unequivocally confirmed that no single staff member has the “power” to exclude faculty members from the CAFT ballot, and further, that no single staff member excluded faculty members from the CAFT ballot in this instance. If you revisit page 2 of our October 3, 2022, letter to you, I trust that will be apparent.

As we also noted on page 2 of our October 3, 2022, letter (and as quoted on page 3 of *your* September 21, 2022, letter to us), the Faculty Nominating Committee conducted an independent review of the incident and allegations and concluded that, “[a]ll members and decisions about eligibility were *only* based on the specific criteria stated in the Faculty Bylaws.” (emphasis added) There was no determination that any University of Arizona faculty member was excluded from the CAFT ballot by a single University staff member. The rest of our October 3, 2022, letter is clear and speaks for itself. I trust this resolves any confusion that led FIRE to the erroneous conclusion that this allegation is somehow “uncontested” and that it occurred as alleged.

To conclude, the University of Arizona is committed to academic freedom and shared governance as set out in applicable law, policies, and procedures. It always has been and will

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continue to be so committed. Thank you again for your interest in this matter. We value and look forward to our continued good relationship with FIRE.

Sincerely,



Art M. Lee
Vice President and Deputy General Counsel

- c: Dr. Robert C. Robbins, President, University of Arizona
 Dr. Leila Hudson, Chair, University of Arizona Faculty Senate
 Dr. Amelia M. Kraehe, Chair, Nominating Committee, University of Arizona Faculty Senate
 Dr. Andrea Romero, Associate Vice Provost for Faculty Affairs, University of Arizona