University Faculty Senate of the City University of New York

Resolution in opposition of the proposed

"Compact for Academic Excellence in Higher Education"

October 28, 2025

WHEREAS, the offer to sign the "Compact for Academic Excellence in Higher Education" has been extended to all universities in the United States; and

WHEREAS, for faculty this proposed compact runs counter to First Amendment rights, academic freedom principles; and

WHEREAS, for institutions this proposed compact weakens institutional autonomy in fundamental ways; and

WHEREAS, for students this proposed compact threatens access through restrictions on federal loans and caps on foreign-student enrollment

WHEREAS, for myriad other reasons this compact is a significant impediment to the success of CUNY as an engine of equity and upward mobility;

NOW, THEREFORE, BE IT RESOLVED, the University Faculty Senate of the City University of New York endorses the viewpoint of the statement "Not This Compact" of its Executive Committee (https://www1.cuny.edu/sites/cunyufs/committees/executive/executive-committee-correspondence/2025-not-this-compact/);

BE IT FURTHER RESOLVED, the University Faculty Senate of the City University of New York echoes its call that the CUNY's Board of Trustees and its Chancellery steadfastly resist any pressures to enter into this proposed compact or any similar compact that would undermine the mission and values of CUNY.

Supporting document(s):

Not This Compact

Statement from the Executive Committee

of CUNY's University Faculty Senate

October 23, 2025

The compact CUNY has with its community, the City and State of New York, is based on the firm belief that higher education is conducted for the common good and

- that the success of the common good depends on the production and dissemination of knowledge;
- that the accumulation of knowledge requires an environment allowing for a critical, open, unending process conducted with discipline and rigor;
- that a byproduct of knowledge is wisdom, a respect for justice, and an appreciation of civic duty;
- that a student-centered urban university system requires a focus on access, affordability, academic excellence, and research and innovation; and
- that only by preserving all these qualities can CUNY remain an engine of equity and upward mobility, able to advance the well-being of all residents of the City and State of New York.

Higher education has thrived in the United States and at CUNY through the protection of academic freedom, shared governance, and independent scholarship and teaching. The proposed "Compact for Academic Excellence in Higher Education" (the McMahon-Mailman compact) comprises ten conditions on federal funding that would undermine CUNY's compact.

This "compact" would:

- chillingly mandate the surveillance of personal viewpoints of faculty, students and staff;
- weaken institutional autonomy and academic freedom by demanding changes to governance structures and the closure of units deemed ideologically suspect;
- enforce specific definitions of gender contrary to New York State's Human Rights Law;
- remove board authority over tuition control;
- coercively threaten access for student, faculty, and administration to student loans, grant programs, and federal contracts in violation of the "unconstitutional conditions" doctrine;
- weaken campus autonomy by adding limitations in admission decisions;
- restrict access by limiting international student enrollments;
- interfere with the grading mechanism between faculty and student;
- prioritize unacceptable constraints on students' programs of study over academic excellence;
- undermine the integrity of academic research by promising to circumvent the rigorous and meritocratic awarding of federal grants;
- require that institutions commit to the use of lawful force to impose "civility" in constitutionally protected speech discordant with the Henderson Rules (Article 129-A of the Educational Law);
- commit CUNY to an annual performance review of "loyalty" in order to receive federal funding;
- and it would require institutions to concede rights that we already possess.

We call on the Board of Trustees of CUNY and the Chancellery of the City University of New York to steadfastly resist any pressures to enter into this McMahon-Mailman compact or any similar compact which would undermine the mission and values of CUNY.