



ACTA

AMERICAN COUNCIL OF
TRUSTEES AND ALUMNI

February 20, 2019

Dear Member of the University of Pennsylvania Board of Trustees:

As a fiduciary of one of America's most distinguished universities, you have a special responsibility to model how university leadership should demonstrate its commitment to protecting higher education's fundamental principles. High among these principles is the freedom of members of the university community to express their beliefs, no matter how controversial, without fear of administrative reprisal.

Last fall, we wrote to you concerning the disciplinary action against Amy Wax and the resignation of Paul Levy from the University of Pennsylvania Board of Trustees and Board of Overseers of the Penn Law School. As in our last letter, we urge you to use this matter as an opportunity for the University to reinforce, rather than diminish, its commitment to academic freedom and freedom of expression on campus.

While the University of Pennsylvania promulgates a strong policy designed to protect free expression, the University's treatment of Professor Wax is apparent evidence that the University of Pennsylvania has violated its own policy. The University's "Guidelines on Open Expression" clearly states, "The University of Pennsylvania, as a community of scholars, affirms, supports, and cherishes the concepts of freedom of thought, inquiry, speech, and lawful assembly. The freedom to experiment, to present and examine alternative data and theories; the freedom to hear, express, and debate various views; and the freedom to voice criticism of existing practices and values are fundamental rights that must be upheld and practiced by the University in a free society." And yet, the University of Pennsylvania's Board of Trustees has refused to address this situation.

Although Paul Levy sent you materials concerning Professor Wax and the importance of freedom of expression, not a single board member has accepted the call to action. Mr. Levy raised an issue central to the institution's commitment to academic integrity that merits your urgent attention.

With your board meeting rapidly approaching, we wish once more to bring to your attention the importance of academic freedom on college campuses. Professor Amy Wax is a distinguished scholar who provides a great learning opportunity for first-year law students. Forbidding her to teach required first-year courses hurts Penn Law students and damages the reputation of the University of Pennsylvania. We strongly urge the Board to engage in a full discussion regarding this matter and to take appropriate action to correct the injustice done to Professor Wax and to Penn Law students.

In meeting this challenge, ACTA stands at your service. I look forward to hearing from you.

With highest regards,

Michael B. Poliakoff, President