

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE TRUSTEES OF PURDUE UNIVERSITY**

- (1) REAFFIRMING THE INSTITUTIONAL COMMITMENT TO ACADEMIC FREEDOM AND TENURE; AND**
 - (2) DELEGATING CERTAIN AUTHORITY AND RESPONSIBILITIES**
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WHEREAS, the Board of Trustees (the “Board”) of The Trustees of Purdue University (the “Corporation”) is vested under the laws of the State of Indiana with the power to, among other things, “do all acts necessary and expedient to put and keep Purdue University in operation” (IC 21-27-7-4) and “make all bylaws, rules and regulations required or proper to conduct and manage Purdue University” (IC 21-27-7-5); and

WHEREAS, Indiana law further empowers the Board to delegate the authority that it possesses, recognizing that no manner of delegation is irrevocable (IC 21-38-3-2); and

WHEREAS, over the 155-year history of Purdue University, the Board has from time to time exercised the legal discretion afforded to it to delegate certain authority and responsibilities to administrators and faculty of the University, notably pursuant to the Bylaws of the Corporation, which establish the officers of the Corporation and confer upon the President of the University, subject to the control of the Board, the authority to “direct and be responsible for the conduct of all the affairs of the University except those which by law or [the] Bylaws are made the specific responsibility of the Treasurer or other persons;” and

WHEREAS, in its 2024 legislative session the Indiana General Assembly enacted, and the Governor of Indiana has now signed into law, Senate Enrolled Act 202 (“SEA 202”), which among other things codifies the concept of tenure at state educational institutions, requires such institutions to include programming to promote cultural and intellectual diversity as part of any campus diversity efforts, and requires the boards of trustees of such institutions to establish policies and practices designed to promote free inquiry, free expression, and cultural and intellectual diversity on their campuses, including through various tenure, promotion, performance evaluation, employment, contracting, student admissions, student orientation, reporting, and other requirements; and

WHEREAS, academic freedom is a core value of the University, as articulated in such policies as I.A.4 (Academic Freedom), which declares that “Purdue University is committed to fostering a community where scholarship, research and creative expression thrive,” and which aptly observes that “[a]cademic freedom is fundamental to the pursuit of knowledge because it encourages open discourse, inquiry and debate among faculty and students; and

WHEREAS, Purdue thus recognizes, consistent with the *1915 Declaration of Principles on Academic Freedom and Academic Tenure* promulgated under the auspices of the American Association of University Professors, that the term “academic freedom” applies to *both* the freedom of the faculty member and the freedom of the student; and

WHEREAS, Purdue’s commitment to academic freedom and faculty tenure was most recently reaffirmed in a February 27, 2024 letter to the University’s faculty from the Chair of the Board, the President and the Provost, which declared that “[t]his university resolutely stands for freedom of speech

and academic freedom, and always will” (such letter being referred to herein as the “2024 Academic Freedom and Tenure Reaffirmation”); and

WHEREAS, as enacted in SEA 202, and consistent with IC 21-38-3-2 referenced above, Section 6 of new Indiana Code chapter IC 21-38-10 recognizes the ability of Board to delegate responsibility, under the policies that it approves, to conduct the faculty reviews and to make the determinations described in such chapter; and

WHEREAS, the Board desires to formally enshrine in a resolution of the Board the University’s commitment to academic freedom and tenure and to provide a mechanism for developing an implementation plan for complying with SEA 202;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board as follows:

1. The 2024 Academic Freedom and Tenure Reaffirmation is hereby ratified and confirmed in all respects as the position of the Board on such matters, with the delegation of authority referenced in such statement to commence with the measures described below, as the same may be supplemented from time to time by further Board action.
2. The Provost and Executive Vice President for Academic Affairs and Diversity (the “Provost”) is hereby delegated the authority, in consultation with the President, to empanel a committee for each of the separately-accredited campuses of the University (Purdue West Lafayette, Purdue Fort Wayne, and Purdue Northwest) for the purpose of advising the Provost, for his consideration, on any recommended modifications to system-wide policies, supporting procedures, and campus-specific criteria related to promotion, tenure, post-tenure review, and faculty hiring, as well as such other policies and practices as each committee may recommend to the Provost, with advice and assistance from the Office of Legal Counsel, to comply with the requirements of SEA 202, it being understood that:
 - a. The committee for Purdue West Lafayette shall be comprised of the Academic Deans Council, as constituted by the Provost from time to time (the “ADC”);
 - b. The committees for each of Purdue Fort Wayne and Purdue Northwest shall be comprised of the regional campus-equivalent of the ADC and/or such representatives of campus academic leadership as each Chancellor shall recommend to the Provost; and
 - c. The Provost will ensure that, to the extent this exercise results in proposed amendments to system-wide policies or campus policies, any such amendments that he endorses will be presented for action (with respect to the former) or awareness (with respect to the latter) to the Executive Policy Review Group (the “EPRG”) established under the auspices of the Vice President for Ethics and Compliance and acting pursuant to delegated University policymaking authority from the President under policy V.B.5.
3. The Vice President for Ethics and Compliance is hereby delegated authority, in consultation with the Chief Financial Officer and Treasurer and the Vice President for Human Resources (or their respective designees), to cause the EPRG and the University Policy Office, acting pursuant to the policymaking process outlined in policy V.C.1 (Formulation and Issuance of Policies) to:
 - a. Act on and give effect to the modifications resulting from the exercise described in Section 2 of this Resolution;

- b. Identify, act on, and give effect to any other modifications to University policies and practices that the EPRG may identify, with advice and assistance from the Office of Legal Counsel, to comply with the requirements of SEA 202, including but not limited to policies and practices related to non-faculty employment, vendor contracting, admissions, and other subjects; and
 - c. Promulgate and issue, pending completion of the work by the above-described committees, such interim policies as may be deemed necessary by the Vice President for Ethics and Compliance, in consultation with the Office of Legal Counsel, to timely comply with the requirements of SEA 202, subject to the criteria on interim policies set forth in policy V.C.1.
4. The Secretary of the Corporation is hereby authorized and instructed to record this Resolution in the minutes of this meeting, to be maintained in the official records of the Board and the Corporation.