

October 14, 2021

**Faculty Hearing Committee Decision on the Statutory Grievance
filed by Dr. Rabab Abdulhadi**

Grievant:

Rabab Abdulhadi, Ph.D.
Associate Professor
Department of Race and Resistance Studies

Advocate:

Sang Hea Kil, Ph.D.
Professor
Department of Justice Studies, San José State University

Witnesses:

Tomomi Kinukawa, Ph.D.
Lecturer Faculty
Department of Women and Gender Studies

Saliem Shehadeh, M.A.
Graduate Student, UCLA, and Assistant to Dr. Abdulhadi

James Martel, Ph.D.
Professor of Political Science
President of CFA

Carleen Mandolfo, Ph.D.
Associate Vice President
Faculty Affairs, San Francisco State University

Faculty Hearing Committee members:

Andreana Clay, Ph.D.
Professor and Chair
Department of Sociology and Sexuality Studies

Sandra Rosen, Ph.D.
Professor
Department of Special Education

Dayna Herbert Walker, Ph.D.
Assistant Professor
Department of Management

Faculty Hearing Committee Decision

The Faculty Hearing Committee is granting the grievance.

Remedy Ordered

- San Francisco State University issues a public apology to Dr. Abdulhadi for not upholding the academic freedom policy enacted by SFSU;
- SFSU administration issues a public letter of support of faculty with regards to academic freedom;
- The university provides a site for rescheduling the event with Leila Khaled on an alternate platform, without interference.

Statement of the reasons upon which this decision is based:

The Faculty Hearing Committee deliberated on October 5th, 2021 regarding the statutory grievance filed by Dr. Rabab Abdulhadi, Associate Professor in the Department of Race and Resistance Studies in the College of Ethnic Studies. The grievance involves consideration of incidents pertaining to violation of Academic Freedom.

To determine if Dr. Abdulhadi was directly wronged by the CSU, the committee examined the evidence presented at the grievance hearing Dr. Abdulhadi and her legal representation, Dr. San Hea Kil, as well as evidence presented by SFSU Director of Labor and Employment, Theresa A. Pollard, and her team. The committee agrees that San Francisco State University has inflicted harm upon Dr. Abdulhadi (and co-instructor, Dr. Kinukawa) and that her academic freedom was, in fact, violated. We characterize this harm in two ways: 1) that the university did not provide adequate support to Dr. Abdulhadi against the actions of the corporate entity, Zoom, and, more importantly against the outside organization, Lawfare Project. In fact, the university's actions were in line with the recommendations of Lawfare, suggesting that Dr. Abdulhadi may be arrested for moving forward with a class event involving Leila Khaled, a journalist, that Lawfare Project has named a terrorist. Our conclusion is based on Provost Jennifer Summit's September 18, 2020 email to Drs. Abdulhadi and Kinukawa alerting the faculty members of alleged possible criminal activity, in Provost Summit writes "a violation of the statute [18 U.S.C. A2339B] might result in a fine or other more severe penalties, such as imprisonment." We assert that the in this and other exchanges, the university caused direct harm in the form of 1) mental health stress, and 2) a relinquishing of the university's responsibility to uphold academic freedom. We base this conclusion on SFSU Academic Senate Policy #F13-267, on Academic Freedom, which was signed by former SFSU President, Leslie Wong in 2013. The policy states that,

Academic freedom allows the discussion of all relevant matters in the classroom, explores all avenues of scholarship, research, and creative expression, and speaks freely on all matters of university governance and public concern, without

restraint, prejudice, or fear of reprisal. Further freedom of expression which is critical of conventional thought, or challenges established interests is vital to the University.

It is the responsibility of the entire campus community to maintain, encourage, promote, and protect academic freedom, and to ensure that it is not compromised by censorship, fear of reprisal, institutional discipline, or interference from the public or government. It is the responsibility of the entire campus community, including the administration and Academic Senate, to actively sustain and defend academic freedom in the domains of teaching, research, and service, and in all aspects of shared governance (emphasis added).

Based on this policy and the evidence presented in the hearing on September 30th, 2021, we conclude that the university did not actively sustain and defend academic freedom in the domains of teaching for Dr. Abdulhadi and her co-instructor, Dr. Kinukawa. Further, while the university did try to find an alternative platform for Dr. Abdulhadi's course, it failed to ensure that academic freedom was not compromised by censorship and interference from the public. This constitutes a direct wrong to the grievant.