

The Ethics Issue in Illinois

In the Fall 2004 issue of Illinois Academe (available at www.ilaaup.org), John K. Wilson wrote about some of the concerns about the interpretation of the Illinois Ethics Act. In response to objections raised by AAUP members, the Illinois AAUP Council has written the following statement of concern to be sent to legislators, ethics officials, and general counsels at Illinois' public universities. We encourage Illinois AAUP members to contact your legislators and administrators about these issues.

Statement of Concern on the Illinois Ethics Act

from the Illinois Council of the American Association of University Professors

As an organization representing more than 1,000 faculty in the state of Illinois, we are writing to express our concern with the Illinois State Officials and Employees Ethics Act and its implementation at state universities. We fear that some misunderstandings about the Ethics Act may cause faculty to censor themselves when discussing political issues, or even lead to infringements of academic freedom.

We strongly support the improvement of ethics rules for state employees to prevent abuses, and we believe that working to improve ethical standards at state universities is important. However, we are concerned that ethics scandals which have not involved state universities may lead to inappropriate restrictions at college campuses on constitutionally protected advocacy.

Under the Ethics Act, the definition of illegitimate political activity specifically exempts actions taken in fulfillment of official State duties. Because educating students and the public is the foremost duty of faculty members and other university employees, we believe that restrictions on political advocacy must not be applied to institutions of higher education.

We are concerned that the state's ethics training for university employees and other announcements fail to convey that the rights of academic freedom, including the right of political expression and advocacy, must not be abridged.

Therefore we urge the following actions:

1) We recommend that a clarification be issued by the Inspector General's Office addressing how to apply the Ethics Act to state universities, including recognition of the importance of academic freedom and the unique work hours of faculty.

2) We recommend that ethics training for university employees be improved to emphasize the unique ethical issues appropriate to higher education. We further recommend that the state work with the Illinois AAUP, the American Federation of Teachers, the Illinois Education Association, and ethics professors from around the state to develop an alternative ethics training that better addresses the ethical concerns of university faculty and other campus employees.

