

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN ASSOCIATION OF UNIVERSITY
PROFESSORS,

and

AMERICAN FEDERATION OF TEACHERS,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE. *et*
al.,

Defendants.

Case No. 1:25-cv-02429-MKV

DECLARATION OF JULIE SCHMID

I, Julie Schmid, hereby declare as follows:

1. I am over the age of 18 and have personal knowledge of the facts in this declaration.
2. I serve as the Director of Higher Education at the American Federation of Teachers (“AFT”), one of the plaintiffs in this lawsuit. In this capacity, I lead the Higher Education department, which oversees AFT’s initiatives addressing issues that impact our members in higher education.
3. The AFT is a national labor organization headquartered in Washington, D.C., representing over 1.8 million members who are employed as higher education faculty and professional staff; pre-K through 12th-grade teachers, early childhood educators, paraprofessionals, and other school-related personnel; federal, state, and local government employees; and nurses and other healthcare professionals.

4. The AFT's mission statement is: The AFT is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

5. The AFT represents more than 200,000 members who are academic workers, including full-time and part-time faculty, academic professionals, and graduate employees, at public and private colleges and universities across all 50 states. The AFT's members include faculty at Columbia University. All individuals, including Columbia University faculty members, who are members of the AFT's largest higher education affiliate, the American Association of University Professors ("AAUP"), are also members of the AFT.

Harms to AFT's Members

6. I am aware of and can identify AFT members who are faculty at higher education institutions in the United States, including at Columbia University.

7. I am aware of and can identify AFT members who have lost funding as a result of the federal government's cancelation of \$400 million in federal funding to Columbia University announced March 7, 2025. Those AFT members have suffered and are continuing to suffer irreparable harm to their research, work, reputation, and ability to pursue their careers and work as a result of those funding cancelations.

8. I am aware of and can identify AFT members who rely on federal funding that the federal government threatened to cancel in its March 13, 2025 letter to Columbia University demanding certain concessions as a precondition for continuing Columbia's financial relationship with the federal government. Many of those AFT members are suffering harm as a

direct result of that threat, including because the continued viability of their work is now uncertain, making it difficult to plan, maintain professional relationships, and recruit potential staff to work on their projects. Those AFT members will also suffer irreparable harm to their research, work, reputation, and ability to pursue their careers and work if the federal government cancels that funding.

9. I am aware of and can identify AFT members at Columbia University who are concerned about losing their jobs or ability to continue to support their livelihoods, either as a direct result of the Trump Administration's cancelation of approximately \$400 million in federal grants and contracts to Columbia University, or because they fear they may be let go by Columbia if they engage in speech the Trump Administration disfavors as Columbia seeks to placate the Trump Administration and encourage it not to carry out its threats to cancel additional federal funding, and who now feel limited in what they can say in and outside the classroom for fear of the loss of additional funding to themselves or the University.

10. I am aware of and can identify AFT members at Columbia University who have started to self-censor their language both inside and outside the classroom following the Trump Administration's decision to cancel \$400 million in funding to Columbia University without following applicable statutory requirements or other law and its threats to cancel additional federal funding. These members fear that they may face backlash from Columbia and may lose their jobs as a result of exercising their academic freedom.

11. I am also aware of and can identify AFT members at other colleges and universities who are similarly concerned about losing their jobs or ability to support their livelihoods, and who now feel limited in what they can say in and outside the classroom for fear of the Trump Administration summarily canceling federal funding to their programs, universities,

or colleges without following applicable statutory requirements or other law in the same way that the Trump Administration has canceled funding at Columbia and threatened to cancel additional federal funding at Columbia and at numerous other universities and colleges.

Harms to AFT as an Organization

12. The Trump administration's cancellation of \$400 million in federal funding to Columbia University and demands that Columbia take additional steps as a "precondition" for any continued federal financial assistance to the University has harmed and is continuing to harm AFT as an organization. The Trump administration's summary cancellation of \$400 million dollars at Columbia and threats to cancel more federal funding at Columbia and other universities and colleges are directly impairing the AFT's mission.

13. As part of the AFT's core activities, the AFT regularly consults, provides education to, works with, and represents local chapters and members regarding academic freedom (including in response to actions by university administrators and the government), faculty governance, and other issues involving the employment relationship between university employees and their employers. The AFT has performed these activities on behalf of members at Columbia and will continue to do so. Through the AFT's local chapters and affiliates, the AFT also provides for the representation of members regarding academic freedom (including in meetings with administrators and during disciplinary proceedings), shared governance, and due process issues in proceedings before their university employers.

14. On November 9, 2023, the AFT Executive Council passed a resolution titled Condemning Hate and Affirming Freedom of Speech on Campus. The resolution includes the following commitments by the AFT:

RESOLVED, that the American Federation of Teachers will continue to condemn hate in all its forms, affirm the dignity and humanity of all, and promote intellectual freedom and First Amendment freedoms as foundations of our democracy; and

RESOLVED, that the AFT will continue to fight hatred, racism, antisemitism, Islamophobia and anti-LGBTQIA+ hate and will vigorously defend the free speech rights of higher education students, faculty and the community, including the rights to peacefully assemble and protest, as well as defend our members who face discipline or termination of employment as a result of their protected speech or their participation in lawful protests on campus; and

RESOLVED, that the AFT will call on college and university administrations to respect academic freedom and debates on campus; to condemn hate and racially, politically and religiously motivated attacks; and to ensure the safety of all members—whether teaching, working or learning—of the campus community; and

RESOLVED, that the AFT will provide sample resolutions, workshops and guidance to our locals and state federations to support this work at the campus level.

A copy of the resolution is available at <https://www.aft.org/resolution/condemning-hate-and-affirming-freedom-speech-campus> and is attached hereto as Exhibit A.

15. I understand that Title VI and its implementing regulations require the government to provide notice and a hearing, followed by a finding on the record, before terminating federal funding to any program or part thereof based on a violation of Title VI. I understand that the government did not provide notice, or hold any hearing or provide any opportunity to be heard, before terminating \$400 million in federal funding to Columbia and did not provide notice, or hold any hearing or provide any opportunity to be heard, before announcing that Columbia's compliance with the demands in the government's March 13, 2025 letter was a "precondition for formal negotiations regarding Columbia University's continued financial relationship with the United States government." If the government had provided notice and held a hearing as required, both the AFT and individual AFT members would have sought to participate in that hearing directly or as amici curiae, as permitted by the applicable regulations, to protect the federal funding supporting the work of AFT members at Columbia and to protect

the principles of academic freedom, due process, and shared governance that are at the core of the AFT's mission.

16. On July 17, 2024, the AFT launched "Real Solutions for Higher Education" (Real Solutions), a multi-year \$1 million commitment to support its higher education chapters in re-establishing higher education as a public good through initiatives that focus on 1) promoting increased public investment in higher education, 2) safeguarding free speech and academic freedom on campuses, and 3) advancing meaningful job security while ending contingent employment for academic workers.

17. Since the launch of the Real Solutions campaign, AFT has hosted a series of organizing webinars, providing its higher education members with basic skills they can use to shape and strengthen their own campaigns to support academic freedom, make higher education more accessible, and ensure contingent faculty have appropriate job security and a livable wage.

18. The AFT advocates for the rights and obligations of its members, stressing that academic freedom is essential for fostering new knowledge and strengthening our democracy. Protecting and advancing academic freedom is the core mission of one of AFT's largest higher education affiliates, the AAUP. Through the AFT Defense Fund, the AFT provides financial support to defend its members in proceedings before university administrations or the government when their academic freedom is at risk. In partnership with the AAUP, the AFT also hosts webinars and other educational sessions to offer support to members encountering challenges to academic freedom on campus.

19. Since the Trump administration announced plans to cut federal funding from certain colleges and universities, including Columbia, the AFT Higher Education Department has experienced an increase in inquiries from affiliate leaders and members seeking guidance on how

to respond to federal funding cuts and threats of more cuts, how to protect themselves and their colleagues from retribution from the government, their universities, or the public as a direct result of the Trump administration's threats, and what steps to take to protect their and their colleague's academic freedom and livelihoods from these threats. In response, the AFT Higher Education Department has implemented weekly and biweekly initiatives for its 420 higher education affiliates to tackle the concerns of its members. For instance, the Higher Education Department conducts weekly calls with its affiliate leaders and biweekly webinars that are accessible to all AFT Higher Education members, aimed at monitoring administrative and federal actions while addressing member concerns in real time. Additionally, the Higher Education Department releases a weekly newsletter for its affiliate leaders to provide ongoing updates and guidance on how to respond to the Trump Administration's actions against higher education.

20. In direct response to the Trump Administration's canceling of funding to Columbia, the AFT Higher Ed Department drafted sample contract and policy language to be used by AFT affiliates in negotiations with universities and colleges to address the ramifications of the funding cancelation, including by seeking institutional funding support to faculty if their research is affected by federal funding cuts and proposed language that would address the impact that federal funding cuts will have on the tenure clock for affected non-tenured faculty. In general, university faculty are expected to do a certain amount of research within a certain time period prior to seeking tenure. The language that AFT has drafted for its affiliates would stop the tenure clock if faculty research is impacted by federal funding cuts. The AFT diverted staff time and incurred expenses to develop this sample contract and policy language that the AFT would have devoted to its other work had the Trump Administration not canceled the federal funding to Columbia.

21. The Trump administration's actions withdrawing federal funding for Columbia and other universities have undermined and eroded the longstanding principles of academic freedom, shared governance, and due process that the AFT helps and seeks to protect at Columbia and other institutions where AFT members are employed. As a direct result of Defendants' actions, Columbia no longer adheres to these principles.

22. Defendants' actions have made it more difficult and resource-intensive for the AFT to carry out its representation of members, in particular on issues of academic freedom. Because Defendants have placed tremendous financial pressure on Columbia and interfered with guiding principles of academic freedom, shared governance, and due process, the AFT must now expend more time and money to ensure that the AFT's members' rights in these regards are adequately protected. In particular, the AFT anticipates that it will have to make significantly more expenditures from the AFT Defense Fund to provide for the legal representation of members in university investigations, lawsuits, and other fora as a direct result of Defendant's actions and Columbia's capitulation to Defendants' demands.

23. The Trump Administration's funding cancelation and threats to cancel more funding at Columbia and other universities and colleges also make it harder for the AFT to achieve its goals of promoting academic freedom, shared governance, and due process principles in part because of the steps Columbia has taken in response to the Trump Administration's actions to undermine those principles. The Trump Administration's demands to curtail speech and academic freedom on campus have therefore directly impaired the AFT's mission.


24. Defendants' actions have also made it more difficult and resource-intensive for the AFT to provide accurate and effective guidance to their chapters and members regarding these principles. The AFT has had to divert staff and financial resources to address the

significant influx of inquiries from chapter leaders and members regarding the effect of such actions on members' academic freedom, shared governance, and due process rights, and to ensure that members are adequately represented before their university employers. This significant diversion of staff and financial resources has already begun. In addition to responding to such member requests, staff for the AFT have had to conduct nationwide calls and virtual meetings with chapter leaders regarding Defendants' actions and how to represent members in the face of such actions.

25. Defendants' actions have also caused a pervasive sense of fear and intimidation among the AFT's members. Because of Defendants' actions and the threats of further cuts to research funding, I am aware that some AFT members no longer feel comfortable participating in and publicly supporting the AFT's activities, or asserting their academic freedom, shared governance, and due process rights.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 1 day of April 2025.



Julie Schmid

Exhibit A



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AFT Resolution

Condemning Hate and Affirming Freedom of Speech on Campus

WHEREAS, intellectual freedom is foundational to a representative democracy and enshrined in the First Amendment freedoms of speech and expression, conscience and assembly; and

WHEREAS, people cannot truly exercise their rights without the open and robust debate of ideas, free from intimidation, violence and threat of violence; and

WHEREAS, U.S. colleges and universities, both two-year and four-year, are central to the development and promotion of intellectual freedom and should be sites of free and open debate, where difficult—sometimes painful—topics and opposing ideas should be discussed, challenged and debated in ways that respect diversity of thought and the dignity and humanity of all; and

WHEREAS, to secure this freedom of thought and expression, institutions of higher education have an obligation to ensure environments where students, staff and faculty are free to engage in these exchanges without facing intimidation or racially, politically or religiously motivated attacks and threats of violence; and

WHEREAS, faculty, staff and students have both rights and obligations in the exercise of intellectual freedom, including the responsibility to exercise their freedoms in ways that respect the rights of those with whom they disagree; and

WHEREAS, higher education as a site of free speech and protest is even more essential and necessary during times of unrest and uncertainty; and

WHEREAS, misinformation campaigns and legislative attacks are used to stoke the culture wars on campus and continue a cycle of hate and bigotry that has resulted in an increase in racism, antisemitism, Islamophobia and anti-LGBTQIA+ hate on campus; and

WHEREAS, the violence, threats of violence and intimidation we recently have seen on campuses create an environment that puts students, faculty, staff and other members of the campus community at risk, making it an environment where freedoms are undermined, our country further divided, and our democracy further eroded; and

WHEREAS, students, faculty, staff and other members of campus communities have been subject to social media attacks, doxing campaigns and death threats; and

WHEREAS, faculty and staff have faced discipline, pressure to resign, and termination as a result of exercising their academic freedom in the classroom and their right to engage in protest and speak out:

RESOLVED, that the American Federation of Teachers will continue to condemn hate in all its forms, affirm the dignity and humanity of all, and promote intellectual freedom and First Amendment freedoms as foundations of our democracy; and

RESOLVED, that the AFT will continue to fight hatred, racism, antisemitism, Islamophobia and anti-LGBTQIA+ hate and will vigorously defend the free speech rights of higher education students, faculty and the community, including the rights to

peacefully assemble and protest, as well as defend our members who face discipline or termination of employment as a result of their protected speech or their participation in lawful protests on campus; and

RESOLVED, that the AFT will call on college and university administrations to respect academic freedom and debates on campus; to condemn hate and racially, politically and religiously motivated attacks; and to ensure the safety of all members—whether teaching, working or learning—of the campus community; and

RESOLVED, that the AFT will provide sample resolutions, workshops and guidance to our locals and state federations to support this work at the campus level.

Approved by AFT Executive Council

November 9, 2023

(2023)

Please note that a newer resolution, or portion of a resolution, may have superseded an earlier resolution on the same subject. As a result, with the exception of resolutions adopted at our most recent AFT convention, resolutions do not necessarily reflect current AFT policies.

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Our Mission

The AFT is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

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