APSA Presidential Task Force Statement of Concern to Academic Institutions on the Protection of Basic Civil and Human Rights during the Novel Coronavirus Pandemic

Executive Summary:

Campus reopening plans must prioritize the life, health, safety, and privacy of faculty, staff, graduate students, and undergraduate students. The below statement underscores the human rights considerations universities and colleges must consider when developing plans to open campus amidst the global COVID-19 pandemic. Most importantly, institutions should make remote and online work the default option for their community.

The Executive Council of the American Political Science Association issues this Statement of Concern to Academic Institutions regarding the campus reopening plans of college and universities during the novel coronavirus (SARS-CoV-2) pandemic that causes the disease COVID-19. To academic leaders, we underscore the priority of protecting the life, health, bodily autonomy, workplace safety, privacy, and other civil and human rights of faculty, staff, graduate students, and undergraduate students as they face the new academic year amid the spread of the novel coronavirus. The APSA recognizes the difficulty of the decisions that universities must make concerning their operations for the upcoming academic year. We understand that the decision of some students to take leaves of absence during the pandemic will affect the financial sustainability of some colleges and universities. The broader epidemiological and economic crisis poses special problems for educational institutions with residential programs. At the same time, respect for the lives and health of employees, students, and people in the wider community is essential for the long-term viability and credibility of institutions of higher education. We applaud academic institutions for their ongoing efforts to mitigate the spread of the virus on and near their campuses. We are heartened by the fact that an increasing number of colleges and universities have temporarily suspended the normal presumption of in-person teaching, learning, and work in favor of online and remote modes of education, for the sake of public health, public safety, and the public good during the pandemic.

We stress to academic institutions that faculty, staff, and students with underlying medical conditions are at a higher risk for severe illness and death from contracting SARS-CoV-2. Emerging evidence from the Center for Disease Control (CDC) suggests that people of color,
especially Black and Hispanic people, are more likely to face major health complications and death due to COVID-19. In other words, the decision to return to in-person teaching in the fall poses significant, potentially life-threatening health risks to many vulnerable groups in our academic, campus, and local communities. One of the major health issues for faculty, instructors, and staff is that their work normally brings them into close contact with students who are at special risk for contracting, carrying, and transmitting the novel coronavirus, especially while living amid the closed spaces, close personal contacts, and crowded environments of a campus. Neither are students immune from serious health consequences due to COVID-19, as the death of a 21-year-old undergraduate at Penn State this summer tragically reminds us.

Given the mortal danger that COVID-19 poses for a substantial portion of the population, we remind academic institutions of the slate of basic civil and human rights (to life, health, bodily autonomy, workplace safety, and privacy) that together justify the freedom of faculty, staff, and students to choose for themselves whether to work remotely or in-person during the pandemic before there is a vaccine for SARS-CoV-2 or an effective treatment for COVID-19. Academic institutions should respect this choice concerning personal safety as a matter of autonomy over one’s life and health during a global public health crisis.

As a correlate to this principle, privacy rights should be respected as part of any campus reopening plan. Faculty, staff, and students should not be compelled to provide medical or other personal information about themselves or their families to their employers, colleges, or universities in order to qualify for exemptions from in-person or on-campus work, teaching, or study. If anything, the reverse should hold during the pandemic before there is a vaccine for SARS-CoV-2 or an effective treatment for COVID-19: faculty and staff should only be required to provide a pedagogical or work-related justification to their employers for approval of in-person and on-campus work that could otherwise be effectively done remotely or online. Any effort to compel employees to release private information to justify their exemption from in-person work during the pandemic does not simply entail an invasion of privacy. Such a policy places academic administrators in the position of assessing the health risks to each employee—a position that most are not qualified to fill. Such policies needlessly expose many more faculty, staff, and students to potential retaliation and discrimination for underlying health conditions. In maintaining a policy that protects the privacy of employees with regard to their reasons for preferring to work remotely during the pandemic, universities and colleges will help to foster a more inclusive and accessible educational environment during the crisis of COVID-19 and beyond.

Given the recent ICE statement that threatened the deportation of international students if they are not enrolled for in-person coursework on American campuses, we urge colleges and universities to continue to protect this vital and talented group and remain vigilant against further threats to their education.

Finally, we recognize the shared role of faculty, staff, graduate students, and academic administrators in the collaborative determination of the best strategies for continuing the important educational and research missions of colleges and universities during the pandemic,
while not endangering the lives, health, or civil rights and liberties of anyone with vulnerabilities to COVID-19.

In sum, remote and online work ought to be the default mode of operation for universities, colleges, departments, and other academic units during the pandemic, whenever it is possible, and at least until there is a vaccine for SARS-CoV-2 or an effective treatment widely available for COVID-19. This temporary suspension of the normal presumption of in-person and face-to-face work, teaching, and learning de-densifies campuses and thereby prevents the rise of the rate of infection and the consequent neighborhood transmission of the virus in the campus and local community. This academic public health policy is compatible with the pedagogical and scholarly standards and goals of our discipline, which can be achieved more safely via online and remote work while the clear and present danger of the virus and its disease pathology persists. It accounts for the diversity of forms and missions of higher education across institutions. Finally, and most importantly, it protects the basic autonomy and civil rights of all members of our profession to make critical decisions about the protection of the lives and health of themselves and their families, by affirming that no one should be forced to participate in in-person activities on campuses during the ongoing pandemic.