

Report on the Appointment of Richard Grenell to the Carnegie Mellon University Institute for Politics and Strategy

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Executive Summary

On June 2, 2020, Carnegie Mellon University (CMU) extended an offer of employment to Mr. Richard Grenell, former U.S. Ambassador to Germany. The position is for a one-year appointment from July 1, 2020 to June 30, 2021 as a Senior Fellow in the Institute for Politics and Strategy (IPS). This action was met by a strong outcry from both within and outside of the CMU community.

In response, President Jahanian established two committees, with the present committee chartered “to review whether this appointment was considered and approved in a manner that was consistent with university policies and procedures.”

Rather than simply answering this question “yes” or “no,” we chose to delve more deeply into the underlying principles and considerations. Our conclusions include the following:

- In hiring Mr. Grenell, a standard set of procedures were carried out by Carnegie Mellon’s Department of Human Resources. These were followed fully and appropriately.
- Owing to the COVID-19 pandemic, there was a policy in place that any requested hire from an academic unit be reviewed by the relevant dean(s) to confirm that there were funds external to the university for the hire. This policy was followed fully and appropriately.
- There are features of the hiring of Mr. Grenell which, to our knowledge, are unique in Carnegie Mellon’s experience, and for which Carnegie Mellon does not currently have policies. As such, the determination of whether appropriate policies and procedures were used cannot be answered. In approving the hire, all of the academic individuals involved in the hiring of Mr. Grenell, including the department head and the three deans who jointly oversee IPS, acted in good faith. The justifications at the time involved a combination of: (i) the long-tradition of the “strong department head” model at Carnegie Mellon, one instantiation of which is the hiring of post-doctoral fellows; and (ii) the academic freedom to which an academic head is entitled. We describe below the ambiguities of applying these to this particular hire.

- During the term of his employment, we fully expect Mr. Grenell to abide by all CMU policies, including the stipulation “to *conduct all business and related professional activities in good faith and with fairness, accuracy, integrity and respect for others.*” As would be the case for any department head when a person from outside the University joins their academic unit, we expect Professor Skinner, the Director of IPS, to explain these obligations to Mr. Grenell and ensure that he understands their full extent.
- We recommend that CMU establish a more robust and open process for hiring highly visible public figures, whether as faculty or staff. One reason for this is that such hires could be interpreted by individuals inside and outside of the University as an honor or endorsement by the institution as a whole. We do not recommend here the exact nature of such a process, but we caution that any such process should carefully avoid including any type of political or ideological litmus test.
- We recommend that CMU engage all members of its community in a process that will deepen their understanding of the rights and responsibilities accorded by academic freedom, and the distinction and interplay between the rights of academic freedom and freedom of speech.
- This is an especially relevant issue for Carnegie Mellon and all other universities at this particular time given the ubiquitous nature of social media as a form of communication. Forums such as Twitter and Facebook have become outlets that seem to encourage communication that is disrespectful and highly critical of the opinions of others. The canonical statement on Academic Freedom by the American Association of University Professors (AAUP) did not and could not have addressed social media platforms in 1940. However, the obligations members of an academic community incur with respect to academic freedom, including the need for civility and mutual respect, apply every bit as much to social media as they do to other forms of communication.

Looking forward, CMU should strive to be a model of how a diverse community can engage with each other in open discussions of potentially controversial topics. We should not shy away from difficult and honest encounters that uncover our own biases and limitations. We should welcome to our community those whose beliefs and political leanings do not conform to those of the majority. However, this can only be done when everyone follows a code of conduct that includes accuracy, open-mindedness, restraint, and respect for one another. We hope that this particular controversy, and the shortcomings it has uncovered, will provide an opportunity for the University to move closer to this ideal.

Background

On June 2, 2020, Carnegie Mellon University (CMU) extended an offer of employment to Mr. Richard Grenell, former U.S. Ambassador to Germany. The position is for a one-year appointment from July 1, 2020 to June 30, 2021 as a *Senior Fellow* in the Institute for Politics and Strategy (IPS), as exempt staff. By our understanding, his assigned duties are that he will have continuous engagement with students and faculty as a speaker in classes and seminars, and that he will speak at university lectures in Pittsburgh and to CMU supporters throughout the country. He is also expected to conduct research and write on Europe and other matters of interest to him, to support foreign policy activities and programming in the DC office, and to become involved in the intellectual life of IPS. The offer was made by Prof. Kiron Skinner, the Taube Professor of International Relations and Politics and Director of the Institute for Politics and Strategy.

This appointment was met with a strong outcry by people both within and external to the CMU community. Specifically:

- A petition, signed by several hundred students and alumni starts with the statement: “We, the undersigned, are shocked and concerned about the recent appointment of Ambassador Richard Grenell to the position of Senior Fellow in the Institute for Politics and Strategy (IPS).”
- A petition, signed by several hundred CMU faculty and staff members starts with the statement: “As CMU faculty and staff, we write to reiterate our grave concern over the appointment of Richard Grenell as a Senior Fellow in the Institute for Politics and Strategy at Carnegie Mellon University.”
- Newspaper articles and editorials appeared in the local press regarding the appointment and its controversy.

One particular concern expressed by the petitioners is that, in hiring Mr. Grenell to this position, the University could be viewed as bestowing honor and endorsement, with the University’s reputation becoming linked to any controversies—past, present, or future—associated with him.

In response to the outcry, President Jahanian established two committees: 1) a special committee to review whether this appointment was considered and approved in a manner that was consistent with University policies and procedures, and 2) a special commission to study broader questions regarding oversight of visiting positions and the role of academic freedom in making such appointments. This is the report from the first committee. Our committee includes a former provost (Kamlet), two former deans (Bryant, Kamlet), and two former chairs of the Faculty Senate (Bryant, Rousseau). Among the three of us, we have significant institutional knowledge regarding CMU personnel practices.

Process

The committee reviewed relevant documents regarding the appointment, including the offer letter, as well as University policies on appointments, employment, and employee rights and responsibilities. We interviewed Prof. Skinner and the staff who were involved in her hiring of Mr. Grenell and reviewed documents and letters sent by opponents of Mr. Grenell's hire, as well as his defenders. We spoke with the three deans who oversee Prof. Skinner's leadership of IPS, as well as the Provost. We also spoke with colleagues at other universities to find what processes they had in place when hiring former, high-level government officials.

We have reviewed a number of documents about and statements by Mr. Grenell, including television interviews, social media posts, and web pages. Needless to say, we did not have sufficient time or resources to do a more complete review.

Background: Carnegie Mellon Personnel Categories

Academic and research employees at Carnegie Mellon can be divided into three broad categories, each with its own set of policies and procedures. One is *regular* track faculty, individuals who are on tenure, teaching, research, or librarian-archivist tracks. These individuals are subject to the policies and procedures of the Faculty Handbook. A large part of the Faculty Handbook is devoted to the policies and procedures governing the appointment, reappointment, promotion, and granting of tenure for faculty on the regular tracks. With the exception of entry-level positions, these personnel must be highly vetted by faculty committees at the department, college, and University levels. Although not mandated, even initial appointments as assistant professors and equivalent are generally given careful evaluation by faculty committees at the department and college levels.

The second category is *special* faculty. These span a wide range of job types including postdoctoral fellows, lecturers, system scientists, and professors of the practice. In terms of employment, special faculty are classified as staff, rather than regular faculty. Their governance and vetting are significantly more localized than is the case for regular faculty.

The third category are all others who are not regular faculty or special faculty. Mr. Grenell's position at Carnegie Mellon falls into this third category. His is a pure staff position with very few formal requirements for vetting, except for the criminal background check mandated by Pennsylvania law.

One other consideration is that the titles "Fellow" and "Senior Fellow" have widely varying significance across the University. Many postdoctoral researchers are referred to as "Postdoctoral Fellows." The IPS website lists 12 "Washington Semester Program Fellows." These are part-time employees who engage with the students participating in a semester-long program held in Washington, D. C. IPS has also hosted a number of members of the U.S. military as "Military Fellows." The Heinz College has several "Executive Fellows" in its Center

for Economic Development. These are unpaid, honorific positions. The Software Engineering Institute has recognized some of its most senior and prestigious employees as “Fellows,” much as is done among the technical ranks in corporations. The website for the Wilton E. Scott Institute for Energy Innovation at CMU lists 10 people as “Fellows” and 5 as “Senior Fellows.” All of these are tenured or tenure-track faculty with appointments in other parts of the university. Thus, the terms “Fellow” and “Senior Fellow” can represent the ordinary conditions of employment, a formal affiliation to some organization within the university, or some degree of honor, with widely ranging procedures for how these titles are conferred.

To our knowledge, the title “Senior Fellow” has never been used at CMU to designate a visitor hired to a paid position and having no prior connection to the University. It is therefore not clear what policies and procedures should be followed when hiring such an individual.

Background: Academic Freedom and CMU Standards

Much has been made in this case of the role of academic freedom. Although this term is widely used in the academic community, it seems also to be widely misunderstood. Many think it is simply an extension of the First Amendment right to free speech, with the further guarantee that the speaker will suffer no adverse consequences from such speech. A more careful study of its principles indicates that academic freedom has more nuanced aspects, including that it is both a right and a responsibility.

The canonical [1940 Statement on Academic Freedom and Tenure](#)¹ by the American Association of University Professors (AAUP) concisely describes three components of academic freedom (italics added):

1. *Teachers are entitled to full freedom in research* and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
2. *Teachers are entitled to freedom in the classroom in discussing their subject*, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. *When they speak or write as citizens, they should be free from institutional censorship or discipline*, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence *they should at all times be accurate, should exercise appropriate*

¹ The AAUP has revisited this policy over the years and continues to uphold it.

restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

The first two guarantee the right for faculty members to do research and to teach according to the professional standards of their disciplines. The third guarantees their right to express opinions outside of the classroom. But, it also recognizes the special role of academics at their institutions and in society. While they may express their opinions, this must be done accurately, appropriately, and respectfully. It is, in a sense, a contract: Members of the academic community should not suffer adverse consequences for their expressed opinions, as long as these expressions are accurate, restrained, and respectful. As an example of the distinction between First Amendment rights and academic freedom, a professor's hate speech may be protected by the First Amendment while violating the tenets of academic freedom.

CMU makes the following statement regarding academic freedom in [The Word](#), the student handbook²:

Within the academic community, trustees, administrators, faculty, students and staff share the responsibility for achievement of the goals of the university. ... Especially important, however, are the responsibilities pertaining to academic and individual freedom. An academic community is uniquely suited to its educational and scholarly purposes primarily because of its firm commitment to intellectual honesty, freedom of inquiry and expression, respect for the dignity of each individual and because of its receptiveness to constructive change.

Of particular importance is that this statement extends the full rights and responsibilities of academic freedom to the entire university community, including staff.

The [University Policy on Code of Business Ethics and Conduct](#) addresses the topic of appropriate behavior in the following (italics added):

- a. **Ethical and Professional Conduct.** All members of the University community are expected to observe the highest standards of ethical and professional conduct, and to *conduct all business and related professional activities in good faith and with fairness, accuracy, integrity and respect for others.* The foregoing includes the requirement for all members of the University community engaged in research activities to engage in the responsible conduct of research, and prohibits those members from engaging in research misconduct, including fabrication, falsification or plagiarism in proposing, performing or reviewing research, or in reporting research results.
- b. **Respect for Others.** The University embraces diversity as a core value and *is committed to establishing a campus culture that reflects a fundamental respect for different ways*

² The current Web version of *The Word* is dated 2019–2020. Earlier editions indicate that its statement on academic freedom was first adopted in 1971, and it continues to be in effect today.

of living, working and learning. The University also is committed to the principle of non-discrimination, and does not tolerate discrimination or harassment on the basis of race, color, national origin, sex, handicap, religion, creed, ancestry, belief, age, veteran status, sexual orientation or gender identity.

Observe that the CMU policy is fully consistent with the principles of academic freedom. It does not abridge the right of community members to express opinions, but it requires them to do so in a manner that is accurate and respectful.

Back in 1940, the AAUP did not anticipate the rise of social media. Unfortunately, forums such as Twitter and Facebook have become outlets that seem to encourage divisive and disrespectful rhetoric. Those on Twitter seeking to gain large followings often do so by being dismissive and highly critical of the opinions of others. If one were to survey the social media use of academics at CMU and elsewhere, there would be numerous instances where the standards stated by the AAUP and by CMU policy are not upheld. Nonetheless, these are the standards toward which we should strive as an institution, and their abuse by some does not excuse their violation by others. The AAUP statement explicitly indicates that the responsibilities of academic freedom should be followed “at all times.”

As is discussed at the end of this document, we recommend that the University engage in a process that will lead to a greater understanding among the community of the rights and responsibilities of academic freedom and their relation to freedom of speech in an era of social media.

Did Prof. Skinner have the authority to make this appointment?

As is indicated by our discussion of staff hiring and the use of the term “Senior Fellow,” the hiring criteria for the staff position held by Mr. Grenell are open and ambiguous.

Traditionally, CMU has operated on a *strong department head* model. This is expressed in the following paragraph, extracted from a [2017 White Paper](#) prepared by the Faculty Senate as part of the most recent presidential search.

The university has a leadership model that differs from most of its peers. Leaders at all levels are empowered and held accountable for performance. We have a decentralized and consultative decision-making structure that sits within a framework of shared policies and collaboratively developed strategic plans. Our Department Heads are unusually empowered in the five colleges that include them in their structure (Heinz and Tepper do not). They are appointed by the relevant Deans and the central administration with the support of the faculty. They have longer terms, more budgetary authority, and more participation in central administrative functions than department chairs elsewhere.

Historically, department heads are granted considerable authority in making both staff and special-faculty appointments for visitors, having titles such as practitioners-in-residence, artists-in-residence, entrepreneurs-in-residence, etc. As long as budgetary conditions are satisfied, there is no specific obligation for department heads to get permission from other members of the administration. Similar conditions apply for the hiring of postdoctoral fellows. Although the term “Senior Fellow” is unique, those involved in the hiring of Mr. Grenell seemed to feel this position fit into the same general category as other visiting positions and postdoctoral fellows. While we believe they made that judgment in good faith, we also believe that the unique characteristics of hiring a highly visible public figure call for a different set of procedures, as is discussed below.

Although IPS is not a formal department, it is one of many organizations on campus that effectively has departmental status. These include various entities labeled “Institutes”, “Laboratories”, and “Programs” within Dietrich College, the College of Engineering, and the School of Computer Science. Their directors are generally considered to have the same status as department heads. IPS has two tenured faculty (including Prof. Skinner) and two teaching-track faculty. It runs several different undergraduate major and minor programs, as well as several masters programs.

Under normal (non-COVID-19) circumstances, and assuming that a senior fellow position falls into the same general category as other visitors, Prof. Skinner would have been authorized to offer this position to Mr. Grenell without requiring anyone else’s approval. Due to the general hiring freeze that the University had imposed this spring, Prof. Skinner followed the mandated step of requesting authorization from the three deans (Dietrich, Engineering, Computer Science) who oversee the Institute. They established that the funding for the position would come from funds received as gifts to the University on behalf of Prof. Skinner. Based on this evaluation, they approved the appointment.

Academic freedom has been cited by some as a justification for allowing Prof. Skinner to make an offer to Mr. Grenell. In our investigations, we could find no description of academic freedom that extends any right to a member of the administration in making hiring decisions. However, we acknowledge Prof. Skinner’s right to have people from across the political spectrum participate in the Institute for Politics and Strategy.

As a further note, no one has raised any concern that the CMU Human Relations (HR) organization failed to meet any of its obligations in its handling of this case. HR followed its existing procedures for the hiring of staff.

[Is Mr. Grenell qualified to hold this position?](#)

Mr. Grenell has a Bachelors degree in Government and Public Administration from Evangel College, and a Masters degree in Public Administration from Harvard University. He has served in a number of political and government positions. These include:

- Director of Communications and Public Diplomacy for the United States Permanent Representative to the United Nations (2001–2008)
- U.S. Ambassador to Germany (2018–2020)
- Acting Director of National Intelligence (2020)
- Special Envoy for Serbia and Kosovo Peace Negotiations (2020)

Although his actions in some of these roles generated significant controversy, we believe he has a background and experience commensurate with the duties described in his offer letter.

Is Mr. Grenell disqualified from holding this position?

A perhaps more pertinent question is whether Mr. Grenell's actions and statements, both in his government roles and as an individual, should disqualify him from being hired by CMU. As a Senior Fellow, he has the right to list his affiliation with CMU, and therefore his behavior could positively or negatively affect CMU's reputation.

Included in all offer letters is the following statement regarding an employee's obligation to adhere to CMU policies:

“By accepting Carnegie Mellon's offer of employment, you acknowledge that you will be governed by the policies of Carnegie Mellon University currently in force and as amended in the future at the discretion of the university. As a member of the Carnegie Mellon community, you will be expected to familiarize yourself with all university policies and comply with them.”

This includes the aforementioned University Policy on Code of Business Ethics and Conduct, including its requirement to “conduct all business and related professional activities in good faith and with fairness, accuracy, integrity and respect for others.”

As indicated by the statement in the student handbook, as a member of the CMU academic community, Mr. Grenell has all of the rights and responsibilities accorded by academic freedom, including its requirement to “at all times be accurate, ... exercise appropriate restraint, [and] show respect for the opinions of others ...”

In our opinion, a number of Mr. Grenell's past statements, particularly on social media, are not consistent with these principles. The following set of examples is intended to be illustrative, not comprehensive:

- In a January 2011 post on Twitter (now deleted), he stated that “Rachel Maddow needs to take a breath and put on a necklace.” It is hard to see how this constitutes “showing respect for others.”
- In a June 5, 2020 post on Twitter, he accused Rep. Eric Swalwell of “pushing fake news” regarding the use of tear gas in the clearing of Lafayette Square on June 1. He cited as

his authority a statement by the National Park Service that “United States Park Police officers and other assisting law enforcement partners did not use tear gas or OC Skat Shells to close the area at Lafayette Park in response to violent protestors.” However, later that day (and before Mr. Grenell posted his tweet), a US Park Police spokesman admitted that the police had shot pepper balls at demonstrators, releasing a powder that would irritate eyes and cause tears. One could have a reasoned argument about the breadth of the term “tear gas,” but accusing Rep. Swalwell of “pushing fake news” was misleading and inappropriate.

- In his tweet of July 14, 2020, as part of a RecallGavin 2020 twitter stream: “He [Gavin Newsome, Governor of California] has compounded the negative impact of the Chinese flu by shutting down businesses, and ignoring science based solutions. California can do much better - we must end the one party control of Sacramento.” The key concern in this tweet is the phrase “Chinese flu.” Covid-19 is not a flu, an illness considered to be common and well controlled, nor is it necessarily just from China, given the incidence of infections in the US stemming from Europe. Criticizing the California governor is certainly consistent with free speech but labeling the current pandemic a “Chinese flu” is a false statement. It risks causing people to ignore science-based guidelines regarding Covid-19. This label is also disrespectful to the many people of Chinese origin who played no role in the origin or propagation of this virus, and it serves no other role than to incite animosity toward others.

Although each of these individual tweets can be excused as (at most) minor infractions, the general tone of many of his communications is dismissive and disrespectful of the opinions of others.

As discussed above, Twitter is a platform that encourages extreme and often disrespectful statements. However, the AAUP statement does not contain any exceptions to the provision “they should at all times ... exercise appropriate restraint.”

Mr. Grenell has operated in the realm of politics and government, rather than in academia, for his entire career. A fundamental question is whether we would expect someone coming from outside academia to have abided by its principles beforehand as a condition of employment. In any case, during his year at CMU, we fully expect him to follow all University policies and the more general principles of academic freedom. It will be incumbent on Prof. Skinner to make sure he understands this requirement and holds him accountable.

Possible Shortcomings in CMU Hiring Procedures

CMU prides itself on its nimbleness and lack of bureaucracy. Although that enables us to take advantage of special circumstances and opportunities, it also means that we may not have appropriate provisions in place for properly handling some of these circumstances.

In particular, although the term “senior fellow” has no widely understood meaning, we agree with the petitioners that the title confers some degree of CMU’s reputation on the recipient. When a highly visible figure, such as Mr. Grenell, is to be hired in this role, there should be a more robust and open discussion across campus than took place in this case. In the end, those with decision-making authority might decide that the merits of such a hire outweigh its risks, but this should be done with the consideration of a broader set of opinions. We emphasize, however, that any such process must avoid any form of political or ideological litmus test.

Conclusions

Prof. Skinner followed the small set of existing policies and procedures in place in the hiring of Richard Grenell, and he began his position on July 1. We hope that he will fulfill his stated duties and that his experience and viewpoints will be beneficial to the students of IPS. As a CMU employee, and as a member of the academic community, we expect him to fully operate according to the principles and policies of our community, including in his use of social media.

Besides our committee, President Jahanian has committed to establish “a special commission to study broader questions regarding oversight of visiting positions and the role of academic freedom in making such appointments.” We suggest that this commission may want to explore two shortcomings that this appointment has exposed:

- What processes can be established to allow a robust and open discussion when hiring highly visible public figures, whether as staff or faculty?
- How can the members of the University community become better acquainted with the principles of academic freedom, the interplay and distinction between the rights of academic freedom and freedom of speech, and how the responsibilities of academic freedom pertain to the expressions of opinions, especially on social media?

CMU should strive to be a model of how a diverse community of people can engage with each other in open discussions of potentially controversial topics. We should not shy away from difficult and honest encounters that uncover our own biases and limitations. We should welcome to our community those whose beliefs and political leanings do not conform to those of the majority. However, this can only be done when everyone follows a code of conduct that includes accuracy, open-mindedness, restraint, and respect for one another. We hope that this particular controversy, and the shortcomings it has uncovered, will provide an opportunity for the University to move closer to this ideal.