

Dear CUNY Community,

We are taking this moment to write to you about a series of upsetting incidents we learned about in our capacity as your student government representatives during the faculty meeting on 3/19/2021. We share this information with you because we find it critical for you to know, and also to hold the institution accountable for withholding this from us for months. This information is in regards to why Dean Bilek is resigning from her Deanship effective June 30, 2021. **We warn that the details surrounding Dean Bilek's departure include racist actions that are described below.**

We bring you these facts out of a desire to talk about the whole truth as understood by the faculty and students who retold it. The Dean has made a statement that we feel distorts what happened.

1. A white junior faculty member, Dean Allie Robbins, was asked to accept an appointment as Academic Dean. This appointment was unanimously supported by the Personnel & Budget Committee (P&B) in April of 2020.
2. After the initial appointment vote, Dean Bilek brought up the idea to the P&B committee of granting Dean Robbins early tenure.
3. Offering early tenure to Dean Robbins would disregard the standing of more senior tenure-track faculty, particularly senior BIPOC faculty. This effort also ignored that untenured faculty who previously held deanship positions had not received early tenure. Additionally, BIPOC faculty had been told that early tenure was never possible absent something like a MacArthur Genius Grant. Therefore, such an exception to early tenureship was only being explored on behalf of a white person.
4. No one believes the idea of early tenure originated with Dean Robbins.
5. Due in large part to concerns raised by P&B members Profs. Kassem and Whitlow, the administration's attempt to grant early tenure to a white faculty member ahead of more senior BIPOC faculty did not proceed.
6. During the October P&B meeting, which now included Profs. Kassem, Huertas-Noble, Lamdan, and Whitlow, Dean Bilek expressed disappointment about not having been able to offer early tenure. After receiving pushback from these committee members regarding the racism at play, Dean Bilek said, "I am the slaveholder here, not Allie," and "If anyone should have to pay reparations, it should be me." When asked to repeat herself, she did so verbatim. This direct quote was provided by Professor Kassem during the faculty meeting on 3/19/2021.
7. Dean Bilek's statements were then brought to the attention of the entire faculty on 12/4/2020 during the faculty meeting in a segment closed to everyone but tenured and tenure-track faculty.
8. An ad hoc group of faculty members wrote her a letter on 12/26/2020 asking for a process of accountability. Among the list of demands was a call to "resign or decline any

positions or roles that put forward a perception that you are an ‘anti-racist dean’” as well as calls for Dean Bilek to publicly acknowledge and apologize for her statements.

9. The faculty members also called for a change in governance where the Faculty of Color Caucus would be recognized as an official CUNY committee with administrative position approval and other bureaucratic voting power.
10. The faculty provided a deadline of 1/19/2021 for their demands to be met.
11. Dean Bilek instead decided to resign without any public explanation.
12. For several months, the ad hoc faculty group has repeatedly asked that the circumstances surrounding the Dean’s resignation be made public to the CUNY community by Dean Bilek herself.
13. Dean Bilek has repeatedly refused to make such information public. She asserted various reasons, including that the matter involved personnel decisions, to try and prevent her statements from leaving the P&B committee. After faculty brought this information out of P&B, Dean Bilek stated that there was an inquiry at CUNY Central and she had been directed not to make statements. Further, there were fears that releasing these details might affect the school’s ability to attract dean candidates and prospective students, retain current students, fundraise, and harm the school generally. Several of these concerns were echoed by some faculty members during the faculty meeting on 3/19/2021 prior to factual disclosure.
14. At the Race, Privilege, and Diversity Committee meeting on 3/18/21 (notes available [here](#)), student government representatives were told by faculty that Dean Bilek was retiring following a “racist course of action and statements,” and that faculty were not at liberty to share more.
15. The above details remained known only among tenure and tenure track faculty before the faculty meeting on 3/19/2021, at which point faculty members moved without objection to discuss these facts openly with student government and staff representatives present.
16. Several faculty members remained hesitant to share such information with the greater CUNY community until they were informed by student government reps that the reps were not going to withhold such information from the CUNY community.
17. The Faculty will release a public statement on these above-listed matters by 3/22/2021.
18. On 3/20/2021, after maintaining there was no way to talk about this publicly, Dean Bilek released a statement as she was aware of at least a forthcoming statement from faculty. To be generous, we find her statement incomplete and unaccountable to her previous reasons for not talking publicly.

We identify the following as the key wrongs by the Dean, the administration, and to a lesser extent the faculty:

1. The racist advancing of a white faculty member’s potential tenure.
2. The Dean likening herself to a slaveholder, invoking imagery of the greater CUNY community and particularly the Black members thereof to be those she envisions herself

enslaving. This alone is problematic, but further contextualizes the racism of wanting to provide early tenure to a white junior faculty member without a second thought while denying such opportunities to BIPOC faculty, even those who are more senior.

3. The Dean's unwillingness to be forthcoming and engage in an accountability process and instead choosing to resign.
4. The choice of administrators and faculty members to withhold the circumstances of Dean Bilek's departure from the CUNY community for months and prioritize the appearance of CUNY as a progressive institution over the commitment of transparency to their constituents. These constituents include non-tenured or tenure track faculty, staff, students, and alumni.
5. Dean Bilek's choice on 3/20/2021 to release a statement with a curiously selective recitation of the facts, after insisting for months that there was no way to do so. It is unclear who, if anyone, worked with her on this statement.

For years, BIPOC students at CUNY, and Black women specifically, have been leaders in the student activism which has time and time again held CUNY Law to account for its institutional racism. This activism has forced CUNY to fully live its alleged social justice mission of "law in the service of human needs." These same students, both past and present, often paid significant institutional prices for their unwillingness to yield to priorities of appearances over substantive justice and equity. These students faced harassment from white supremacists online and threats from institutional leaders on top of being regularly gaslit, ignored, and asked to do more work with no actual power. All the while, the fruits of these student activists' labor have and continue to be what CUNY adopts and holds up as proof of the institution's progressiveness. For example, the hiring of more diverse faculty is a direct result of student activism, as are changes to CUNY Law's scholarship distribution processes.

What disturbs us the most as we reflect on what we learned in the faculty meeting was the juxtaposition between student activism yielding concrete benefits for us all and the Dean of our law school envisioning herself a slaveholder, relegating us all, and specifically the Black members of our community, to those she enslaves. This is disturbing, anti-Black, and unacceptable.

We are not naive to the very real bureaucratic barriers that likely prevented the facts that we share today from being known sooner to the CUNY community. We also understand that much of the delay was hope that Dean Bilek would share this information with the community herself. We know and have heard directly from numerous faculty members of the great burden that keeping this secret brought them, including thoughts of for the very first time exploring employment at other universities. We know many faculty members also feared retaliation. But this is only useful context, not an excuse.

Now that we know, as the representatives of the CUNY community, the community must know. We prioritize truth, the entire truth, and accountability over the protection of racism.

Our frustration with the withholding of this information is further exacerbated by the fact that as student government representatives, several of us along with other student leaders participated in a meeting where we were asked to share what characteristics we hoped to see in a forthcoming new dean. This meeting occurred on 3/5/2021. We were forced to share our views without the critical context of why the search for a new dean was occurring at all. This inherently made the feedback we offered incomplete. Knowing the circumstances of Dean Bilek's departure would have entirely changed the content of our feedback. Today we add to the list of characteristics that we previously provided (a Dean that is forthcoming, prioritizes their internal constituency, is clear on the history of student activism at CUNY, is unabashed in genuinely seeking social change, among other characteristics) with a Dean who will be best fit to steward a process of reconciliation in the wake of Dean Bilek's departure for every member of the CUNY community.

These problems will not go away with a single change of leadership at the top. The issue is not just a single statement but a system of institutional racism that promotes white people over people of color. Racism will only ever be defeated through the shining of light into these dark moments rather than trying to keep them quiet. CUNY Law will never be able to deal with the anti-Black racism in its institutional fabric if it is unwilling to admit that it is there. As the student body - not to mention the staff, alumni, and other members of this community - we deserved better, but there is always time to make things right.

CUNY Law, make it right.

Signed,
Maya Kouassi, Full-Time 3L Representative
Ariel Federow, Full-Time 3L Representative

On behalf of Student Government