

# Findings of the Confucius Institute Review Committee and Decision of the University Administration Regarding the Confucius Institute at Tufts University

March 9, 2019

## I. Introduction

The Confucius Institute at Tufts (CITU) is a non-profit partnership between Tufts, Beijing Normal University (BNU) and Hanban (the Chinese National Office for Teaching Chinese as a Foreign Language), a public institution directly under the Ministry of Education. It is one of approximately 100 Confucius Institutes in the United States and over 450 in the world. The stated purpose of the Confucius Institutes (CI) is to provide Chinese language instruction and strengthen educational and cultural exchange and cooperation.<sup>1</sup> Tufts signed its Memorandum of Understanding (MOU) with Hanban in 2014 and an agreement of cooperation with BNU in 2015. Tufts' Confucius Institute (CITU) started operation in 2015. The agreements with Hanban and BNU are scheduled to expire in June 2019.

A Committee of faculty and administrators was formed in May 2018 under the auspices of Provost *ad interim* Deborah Kochevar and Dean of the School of Arts and Sciences James Glaser to review and assess the operation of the CITU.<sup>2</sup> The Committee was mandated to provide an assessment of the benefits of and concerns with the CITU's operation, a recommendation on whether or not to renew the agreements, and, if the University continued its relationship with the CI, recommendations of changes to the agreement(s) and to the governance of the CITU that should be put into place.

In light of the critiques and controversy surrounding Confucius Institutes in the United States, and Hanban's role in particular, the Committee sought to ensure that the review was thorough, including all voices and perspectives on campus, as well as broad, taking into account the experience of other universities and the broader research, commentary and recommendations on Confucius Institutes generally. The Committee's review included:

- Review of documentation related to the CITU, including draft and final contracts, workplans, annual reports, budgets, correspondence, and books/materials used in the CITU's programs.

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<sup>1</sup> Constitution and By-laws of the Confucius Institutes, General Principles, Chapter 1.1, <http://english.hanban.org/node/7880.htm#no1>.

<sup>2</sup> Joseph Auner, Dean of Academic Affairs for Arts & Sciences; Diana Chigas, Senior International Officer and Associate Provost (Chair); James Hurley, Executive University Budget Director; Charles Inouye, Professor, International Literary & Cultural Studies, School of Arts & Sciences; Mary Jeka, Senior Vice President of University Relations and General Counsel; Man Xu, Professor of History, School of Arts & Sciences; Xueping Zhong, Professor, Department of Literary and Cultural Studies and Director, Chinese Program, School of Arts & Sciences.

- Review of external literature, studies and reports on CIs around the world, including studies and critiques of Confucius Institutes in the United States and recommendations by the American Council on Education (ACE), the National Association of Scholars, the American Association of University Professors, the Woodrow Wilson Center for International Scholars, and the Hoover Institution (Stanford) and Asia Society, among others.
- Interviews with CITU staff and Tufts faculty and staff involved with the negotiation of the CI agreements.
- Discussions with Tufts' government-relations advisors and US Congressional staff (U.S. Sen. Markey and Rep. Moulton of Massachusetts).
- Open forums and community input. Input from the Tufts community on their experience with and perspectives on the CITU was solicited through two open meetings and an open invitation to faculty, students and staff to provide input in writing or in private discussions with Committee members. The open forums drew a significant number of people, including individuals from outside the Tufts community, and the Committee received over 25 submissions in writing or in private meetings.

The Review Committee submitted a preliminary assessment to President Anthony P. Monaco, Provost *ad interim* Deborah Kochevar and Dean of the School of Arts & Sciences James Glaser in January 2019. This document summarizes the the Review Committee's conclusions with regard to the CITU and outlines the decision of the University Administration in relation to the continuation of the CITU.

## II. Background on the CITU

Confucius Institutes are non-profit educational organizations coordinated by Hanban (the Chinese National Office for Teaching Chinese as a Foreign Language, a public institution directly under the Ministry of Education). According to the Constitution and By-laws of Confucius Institutes, the purpose of Confucius Institutes is to:

devote themselves to satisfying the demands of people from different countries and regions in the world who learn the Chinese language, to enhancing understanding of the Chinese language and culture by these peoples, to strengthening educational and cultural exchange and cooperation between China and other countries, to deepening friendly relationships with other nations, to promoting the development of multi-culturalism, and to construct a harmonious world.<sup>3</sup>

According to the National Association of Scholars, there are 104 Confucius Institutes in the United States--97 at colleges and universities, and the remainder at private educational institutions and K-12 public school districts. Sixteen Confucius Institutes have been closed or

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<sup>3</sup>Constitution and By-laws of the Confucius Institutes, General Principles, Chapter 1.1, [http://english.hanban.org/node\\_7880.htm#no1](http://english.hanban.org/node_7880.htm#no1).

are closing, or not renewed.<sup>4</sup> Two closures occurred prior to the establishment of Tufts' CI (University of Chicago and Penn State), while the remaining closures/non-renewals of agreements have occurred within the last year.

The most common kind of CI is a three-way partnership between a non-Chinese university, a Chinese university, and Hanban (Confucius Institute Headquarters). Hanban is generally responsible for formulating rules and regulations, assessing joint applications by Chinese and non-Chinese universities for establishing new institutes, approving annual programs and budgets and supplying teaching and management staff. When applications are approved, Hanban and the foreign university both agree to provide funding for the venture; Hanban provides start-up funding, teaching materials and teaching staff, while the foreign university provides office space, a director and administrative staff.<sup>5</sup> Hanban also provides funding annually, based on submission of a program proposal and budget that has been developed by the CI. This is the current arrangement at Tufts.

For the CITU, Hanban has provided start-up funding, teaching materials and teaching staff, and funding for activities that are proposed annually. Tufts has provided office space, the director (Dr. Mingquan Wang, Tufts' Chinese Language Coordinator and a longtime Senior Lecturer at Tufts, who is a Tufts employee and has received a course release of one course per year to direct the CITU) and administrative staff. There is also a deputy director ("Chinese Institute Director," in the language of the Agreement between Hanban and Tufts, art. 5[2]), who is appointed and employed by BNU (but whose appointment is subject to the approval of the Tufts-majority CITU board) and assists the Director in the CITU's daily operation and administration. He is also responsible for ensuring that CITU programs are developed in accordance with Tufts University's academic mission and the CITU's goal to enhance the understanding of the Chinese language and culture. In addition, the CITU hosts one Chinese instructor, who is an employee of BNU, and two graduate students from BNU, who act as interns.<sup>6</sup> Hanban provides compensation to the Chinese staff ("Chinese Institute Director" and "Chinese Instructor"), supplementing their BNU salaries, as well as a small stipend to the graduate interns. Tufts does not provide any compensation or employee benefits to the Chinese staff or to BNU graduate students, but they are required to comply with Tufts policies.

The CITU's activities fall into several general areas:

- *Chinese Language Teaching at Tufts.* The CITU teaches Chinese language and culture to faculty, staff and residents from local communities on a non-credit basis. This includes:

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<sup>4</sup> Of the 97 counted, seven have announced plans to close and are included among the 16. See Peterson, R. "How Many Confucius Institutes are there in the United States?" New York: National Association of Scholars, 2018 (updated February 2019), [https://www.nas.org/articles/how\\_many\\_confucius\\_institutes\\_are\\_in\\_the\\_united\\_states](https://www.nas.org/articles/how_many_confucius_institutes_are_in_the_united_states).

<sup>5</sup> Cf. Gil, J. 2015. "China's Cultural Projection: A Discussion of the Confucius Institutes." *China: An International Journal*, Vol. 13:1, 200-226.

<sup>6</sup> With the exception of the first CI Instructor (2016-2017) to be hosted at the CITU, all the instructors have come from BNU.

non-credit language classes for faculty, staff, students and local residents, both on-site at Tufts, and more recently in development, online; language tutoring for Tufts students through one-on-one sessions and conversation nights at the Chinese House at Tufts;<sup>7</sup> and the “One with One” matching American students in the Chinese Program with students/scholars from China studying at Tufts for language practice and intercultural learning. The CITU also organizes and manages the HSK exam, the standardized international exam for Chinese language proficiency.

- *Chinese Cultural Programming.* The CITU provides a wide range of cultural programming throughout the year, often co-sponsored by a Tufts department (e.g., the Chinese Program, music, student groups, etc.). Examples include Dumpling Night at the Chinese House, Chinese Culture Day (which includes a workshop and exhibit on Chinese music, paper cutting and calligraphy), music performance, calligraphy workshops, Chinese New Year celebration, and guest lectures and performances, among others.
- *Facilitating academic exchange and collaboration.* One of the CITU’s priorities has been to act as a facilitator of exchange between BNU and Tufts. Since 2015, the CITU has facilitated a number of faculty and administrator visits as well as student programs between BNU and Tufts. While the CITU staff facilitates contacts and communication between the two universities, the exchanges themselves are not CITU programs. Student programs include:
  - Tufts-in-Beijing study abroad program. In 2018, the Tufts study abroad program in China moved from Zhejiang University to BNU and was renamed “Tufts in Beijing.”<sup>8</sup> This relationship was initially facilitated by the CITU but operates as part of a direct relationship between Tufts and BNU.
  - Programs bringing BNU students to Tufts during the summer, including the Liyun program (BNU students attending Tufts summer session classes), and customized summer programs in Big Data/Media and in Philosophy taught by Tufts faculty.<sup>9</sup> As with Tufts’ Study Abroad program, while the CITU facilitated the initial contacts and continues to provide a helpful communication channel, these programs are part of a direct BNU-Tufts relationship; BNU pays expenses (including tuition) for participating students, and the programs are organized directly between Tufts and BNU.

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<sup>7</sup> Conversation nights are organized by the Chinese Program in collaboration with the Chinese House and led by the Chinese House faculty advisor (a Tufts faculty member) and the Chinese House manager (a Tufts student). Extra credit points are provided for attendance at the conversation nights at the Chinese House—a practice that has been in place since 2007. CITU graduate interns participate in the Conversation Nights, providing assistance and tutoring services as needed.

<sup>8</sup> Tufts’ study abroad program in China began in 2002 at Zhejiang University in Hangzhou. The impending retirement of Tufts’ resident director for that program, and the lessening interest of Zhejiang University in supporting Tufts study abroad students, led the Tufts Programs Abroad staff to consider alternative options for study abroad in China. The opportunity to partner with BNU, a top-tier university with expertise in language and culture, presented itself at a propitious time in this process, and a decision was made to move to BNU, where it was believed that support and programming for Tufts’ study abroad would be provided at a high level.

<sup>9</sup> These programs have brought a total of 224 BNU students to Tufts during the summers of 2016-2018. Discussions are ongoing to bring a small number of math students (5 or so) to Tufts for a semester.

- Short-term summer programs (not-for-credit) for Tufts students at BNU: 1) Summer Chinese language program (since 2016), an intensive 2-week language and cultural program, which has served as the orientation program for Tufts-in-Beijing students this year (10 students in 2016, 15 in 2017, 13 in 2018); and 2) Summer philosophy program at BNU, since 2016 (4 students in 2016, 3 in 2017, 4 in 2018). For all these programs, the students' expenses have been covered directly by Hanban (i.e., they have not been part of the CITU budget).
- *Academic conferences on Chinese language teaching and research.* The CITU has sponsored and/or organized and hosted a number of conferences on issues related to Chinese language research and teaching, including the annual conference of the New England Chinese Language Teachers Association (NECLTA) (at Brown in 2015, at Tufts the 2017-2018). This is an international conference on learning and teaching Chinese language and culture that annually brings together teachers and researchers from over 40 American and Chinese schools and institutes for purposes of exchange.
- *Teacher training.* The CITU organizes and hosts training for K-12 Chinese language teachers in the New England region, in collaboration with NECLTA, drawing on NECLTA and outside well-known professors or practitioners in the field as instructors.

The CITU has a Board of Directors composed of members nominated by Tufts and by Beijing Normal University (BNU) who are responsible for approving (or rejecting) the CITU's Director and Deputy Director (Chinese Institute Director), approving the CITU's program and annual plans, and overseeing its budget and financial accounts. The agreement between Tufts and BNU for the CITU specifies 5 Tufts-nominated and 4 BNU-nominated Board members taking decisions by majority if consensus cannot be reached. In January 2017, by verbal agreement, the number of members was increased to 10, 6 of which are nominated by Tufts and 4 by BNU.<sup>10</sup>

Since its inception, the CITU has been supervised by a dean in the School of Arts & Sciences and has submitted an Annual Report as well as a financial accounting to the University each year. The CITU Director also submits the proposed CITU program and budget recommendations each year to the Dean of Academic Affairs for Arts & Sciences and, for the budget, to the Executive Administrative Dean of the School of Arts & Sciences, for review. Once the program proposal and budget reviewed and approved by them, the proposal is sent to the Provost's office for review, and then sent to Hanban.

The CITU received an initial fund of \$150,000 from Hanban when it began operating in 2015. From 2016-2018 it received an additional \$283,910 from Hanban (including the value of books

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<sup>10</sup> The Tufts-appointed members currently are Deborah Kochevar, Jim Glaser, Joe Auner, Xueping Zhong, Ujjayant Chakravorty, and Chris Helmuth. The BNU members are Chuansheng Liu, Vice Chair of board, Chancellor; Zuoyu Zhou, Vice President; Changbao Guo, Dean, College of Chinese Language and Literature; Kai Xiao, Director, Office of Confucius Institute Affairs.

and material given to the CITU, with a market value of \$26,337). The CITU has also received funds from Hanban to cover rent and health insurance for the BNU graduate interns (2 each year); from 2016-2018 this has amounted to \$75,900.

### III. Conclusions of the Review

Following is a summary of the findings of the Review Committee, organized according to the main lines of inquiry in the Committee's mandate.

#### **A. Benefits of and Concerns with the Confucius Institute at Tufts University**

The Review Committee assessed the benefits of and concerns with the Confucius Institute at Tufts based on its review of the CITU's documentation, its review of external reports and recommendations regarding Confucius Institutes, and the feedback of the Tufts community on the CITU. It also assessed the adequacy of the CITU's governance to ensure freedom from restrictions or pressure affecting academic freedom at Tufts. The Committee observed a difference in the feedback of those who had *direct* experience with the CITU from that of people who did not but were knowledgeable about CIs in general. People who had no direct experience with *Tufts'* CI uniformly urged its closure, while the students and faculty who have had direct experience with or participated in CITU activities believed widely that the reports of undue influence, pressure or suppression of academic freedom by CIs in general have not been borne out at Tufts.

The findings below reflect the conclusions of the Review Committee's inquiry, taking into account also external studies and commentary and their relevance to Tufts.

1) *Due diligence.* The deans and the Office of the University Council (OUC) engaged in significant due diligence before agreeing to pursue establishment of a Confucius Institute, as well as in the negotiation of the agreement with Hanban. They consulted with faculty at the Fletcher School of Law and Diplomacy and with outside scholars with expertise on China and human rights, and convened open meetings at Tufts to solicit input on the pros and cons of bringing a CI to Tufts. Tufts also consulted with outside counsel to provide legal advice on the agreement and had discussions with NACUA<sup>11</sup> colleagues with experience with similar agreements. Changes to the original draft agreement provided by Hanban were made in accordance with advice from these people to ensure that the CITU complied with Tufts policies, including, without limitation, policies on academic freedom.<sup>12</sup>

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<sup>11</sup> National Association of College and University Attorneys.

<sup>12</sup> The changes included provisions that the CITU be required to comply with Tufts policies and regulations, and that any violation of Tufts policies could result in termination by Tufts of the CI, as well as that the CITU's Board of Directors be controlled by a majority of Tufts directors. Copies of the final executed agreements with Hanban and with BNU can be found on the CITU website (<https://as.tufts.edu/confuciusinstitute/about>).

2) *CITU agreements and practices.* Tufts' agreements and practices align with external recommendations for addressing concerns about Confucius Institutes.<sup>13</sup> These include:

- As of June 2018, Tufts' agreements with Hanban and BNU have been posted on the CITU website, and thus are publicly available, consistent with several organizations' recommendations.
- Tufts' agreement with Hanban requires compliance with Tufts policies and regulations and allows Tufts to terminate it if they are violated.<sup>14</sup> In contrast to agreements of other universities with Hanban, Tufts' agreement also does *not* contain several of the provisions that have been deemed anathema to academic freedom, such as constraints against tarnishing the reputation of the Confucius Institutes, requirements that the CI accept Hanban's assessment of teaching, and that *CI activities not "contravene the laws and regulations, both in the United States and China."* Tufts' agreement has no reference to Chinese law or the reputation of Hanban or the CI. These provisions ensure that Tufts can enforce its policies and regulations, including those related to academic freedom.
- CITU has no for-credit courses; in contrast to the Confucius Institutes at many other universities, it only provides not-for-credit, extra-curricular courses and additional tutoring and conversation sessions to students. CITU staff are involved in the Conversation nights (organized by the Chinese Program and Chinese House at Tufts) that give extra credit for student participation--a practice that was in place long before the CI was established at Tufts.
- The CITU Director receives direct supervision from Tufts. The CITU Director is a Tufts employee and long-standing faculty member and has always reported to a senior official

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<sup>13</sup> Several organizations have advocated for closure of Confucius Institutes and have issued recommendations on steps universities that choose to keep their CIs can take to address the concerns raised about Confucius Institutes' structure and operation. These include the National Association of Scholars, American Association of University Professors, American Council on Education. The Hoover Institution/Asia Society Working Group, in its recent report, did not recommend closure, but, like the others, suggested conditions and parameters for hosting CIs on campuses. See Working Group on Chinese Influence Activities in the United States. *Chinese Influence & American Interests: Promoting Constructive Vigilance*. Stanford, CA: Hoover Institution Press, 2018; Lloyd-Damnjanovic, A. *A Preliminary Study of PRC Political Influence and Interference Activities in American Higher Education*. Washington, D.C: Wilson Center, 2018; Peterson, R. *Outsourced to China: Confucius Institutes and Soft Power in American Higher Education*. New York: National Association of Scholars, 2017; Committee A on Academic Freedom and Tenure, AAUP. "On Partnerships with Foreign Governments: The Case of Confucius Institutes." Washington, D.C., AAUP, 2014, [https://www.aaup.org/file/Confucius\\_Institutes\\_0.pdf](https://www.aaup.org/file/Confucius_Institutes_0.pdf).

<sup>14</sup> In addition to reviewing research and analyses that examined a number of universities' agreements with Hanban and partner universities (see, e.g., Peterson, *Outsourced to China*, note 12 above), the Review Committee was able directly to obtain and review the agreements of several universities with Hanban. The Committee's conclusions are based on a comparison of Tufts' agreements with those of these other institutions and the provisions identified in research reports as problematic.

in A&S--currently an Academic Dean for Arts and Sciences.<sup>15</sup> Program proposals and budgets, as well as annual reports, have always required approval from the CITU Director's Tufts supervisor prior to submission.

- Unlike many Confucius Institutes in the U.S., the CITU operates no “Confucius Classrooms” in K-12 schools. While the CITU conducts some teacher trainings, it does not operate any “Confucius Classrooms” in K-12 schools.<sup>16</sup> Apart from an occasional lecture (e.g., by a CITU staff member who was a pipa player, on the invitation of a teacher at the Belmont High School), the CITU has no activity in local schools.

3) *Contributions to language and culture learning at Tufts.* The CITU has contributed to Chinese language and culture learning at Tufts. Tufts' students taking Chinese language courses for credit report that the additional tutoring and assistance provided by the CITU have improved their language learning outcomes. The CITU has also helped to facilitate an important new and fruitful relationship between Tufts and Beijing Normal University, a renowned university for teacher education and education science and the site of the “Tufts-in-Beijing” study abroad program beginning this year. The students and faculty who had direct experience with the CITU underlined specific benefits to the university:

- Tutoring and conversational assistance from native speakers (in particular, the BNU graduate interns who are being trained as teachers of Chinese as a second language) and opportunities to interact with students from China.
- Cultural events (such as the Moon Cake celebration), which has enriched their learning about Chinese culture—especially traditional music and other cultural art forms that could (or would) normally not be sponsored by any Tufts clubs (such as the Chinese Students Association) or the CSSA.
- High quality of teaching, both in the language tutoring and classes, as well as in the two-week summer program at BNU sponsored by the CI. Study abroad students praised the summer program as important in helping them prepare for Tufts-in-Beijing, both in adjusting to living in Beijing and improving their language skills.
- Enrichment for faculty's curricular offerings—such as a CI staff member's lecture and performance on the “pipa” for a music class. Chinese Program faculty have benefitted from interaction and exchange with experienced BNU faculty specializing in language instruction.
- Enhancing Tufts' reputation and visibility for Chinese language teaching, through teacher training and academic conferences that have established Tufts as a hub in the region for knowledge about teaching Chinese as a foreign language.

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<sup>15</sup> He reported to the Dean of International and Extended Partnerships prior to that individual's departure in 2017, and currently reports directly to an Academic Dean for Arts and Sciences.

<sup>16</sup> Confucius Classrooms are a vehicle through which a CI provides resources for Chinese language and culture teaching in local K-12 schools. Under a previous supervisor, the CITU piloted an after-school Chinese program for 2<sup>nd</sup> and 3<sup>rd</sup> grade students at the West Somerville Neighborhood School in the fall of 2017, which was well received by parents. The program was terminated quickly by Tufts' administration because the visas the Chinese instructors held did not permit such activity.



In addition, faculty who have taught BNU students in the summer programs at Tufts have reported that they have seen that this experience has changed the BNU students' lives, encouraging critical thinking.<sup>17</sup> These summer programs are *not* Confucius Institute programs; however, the initial Tufts-BNU connections for these programs have been facilitated by the director of the CITU and the director of the Office of CI affairs within BNU's Office of International Exchange and Cooperation.

4) *No evidence of undue influence.* The concerns identified both by external analysts and attendees at the open forums at Tufts, that CIs seek to influence the curriculum at host universities, exercise undue influence, pressure students and scholars regarding controversial issues, or engage in actions that have a negative influence on academic freedom, have not come to fruition thus far on Tufts' campus. While there is some evidence, as claimed by external and Tufts observers, that the Chinese instructors and tutors at the CITU do avoid sensitive topics, students participating in CITU activities report unanimously that they have experienced no political pressure or infusion of political views into the language materials, which focused on practical vocabulary and learning. They also report that they are able to judge the information they are getting critically and to seek additional information and alternate perspectives elsewhere. Moreover, as several students noted, they understand that political control is an important part of China's culture now and of any interaction with Chinese institutions; the avoidance of controversial topics and/or the infusion of potential political bias into the materials or programs provides insight for them into present-day China. Both the students and a review by the two Chinese-speaking members of the Review Committee found the materials chosen for the CI programs not to raise significant concerns of presenting a biased, Chinese Communist Party view on Chinese culture; the texts have generally been the same as those used for the Chinese Language program at Tufts and focused on practical and day-to-day vocabulary and culture.<sup>18</sup>

5) *Reputational and ethical concerns.* While there has been no evidence of suppression of academic freedom, pressure or censorship from the CITU, reputational and ethical concerns regarding the presence of a Confucius Institute on Tufts' campus, raised by those opposing renewal, do exist. These stem from the presence of a CI on campus and not from what Tufts' CITU specifically has done. The concerns relate both to potential negative effects on Tufts' reputation in Washington, D.C. with potential funders, government and others, as well as to the potential that Tufts may appear to lend legitimacy to the Chinese government's violations of human rights by hosting a Chinese government-funded institute on its campus.

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<sup>17</sup> This is corroborated by the student evaluations of the programs. In evaluations by BNU of the summer programs (through feedback/evaluation questionnaires completed by the students at the end of the program), the students report that the most valuable part was learning to think more critically.

<sup>18</sup> The CITU has received 471 books from Hanban. Most of them are language textbooks. A few others introduce Chinese cultural issues in general. They do not address political themes or show ideological biases. Four periodicals are delivered to the CITU regularly from China.

## ***B. Advantages and Disadvantages of Renewal***

The arguments both for renewal and non-renewal are strong. For many people opposing renewal, the presence of the Chinese government-funded CI on Tufts' campus is tantamount to acceptance of the Chinese government's presence on campus; for them, continuation of the CITU would lend support and legitimacy to a government that is committing serious violations of human rights. In addition, some believe the benefits the CITU has provided to the university are not sufficient (or of a large enough scale) to risk the reputational costs of continued and increasing scrutiny from Congress and the Trump Administration, as well as potential real administrative costs of dealing with inquiries from Congress and the risk of harm if funding in other areas is affected because of the presence of a CI. For those supporting renewal, the lack of evidence of undue influence by the CITU, coupled with the benefits the CITU brings to the Tufts community, provide a strong rationale to keep it; in this context, these people are concerned that closure of the CITU would be--and would be seen as--bowing to political pressure and ideological concerns in an increasingly adversarial environment in the U.S. toward China.

The Review Committee acknowledged the importance of the concerns arising from the unusual arrangement of a *joint operation* between Tufts and a Chinese government institution *within* the university and from U.S. government officials' concerns which could result in future regulatory and/or legislative action in relation to CIs. At the same time, Committee members also had concerns about closing an Institute that has been of value to students and faculty at Tufts, especially in the Chinese Program, in the absence of any evidence of inappropriate conduct or influence.

## **IV. DECISION AND NEXT STEPS**

After extensive review, substantial input, and thoughtful deliberation, the University will renew the agreements with Hanban and BNU, under specific conditions (explained below). The decision was a difficult one in light of the strength of the arguments on both sides, and was made based on the following considerations:

- As noted above, the CITU has provided benefits to students and faculty at Tufts, especially in the Chinese Program, and that the CITU has not exercised undue influence, suppression of academic freedom and improper bias.
- The relationship with BNU, which includes Tufts study abroad, student exchanges and opportunities for faculty collaboration, is very positive and should be maintained. While the Tufts-BNU relationship has been positive and developed far beyond the CITU over the last three years, engaging a number of faculty and students directly, it is still at an early stage, and still benefits from the attention the CITU Director and his counterpart in the Office of Confucius Institute Affairs at BNU are able to dedicate to nurturing it.

- There is broad agreement (although not unanimous) among people giving feedback (including many who oppose renewal) that U.S.-China academic exchanges are important for the University and its educational mission. There is also agreement, including among supporters of the CITU, that concerns about Chinese political interference and influence should not be dismissed, *although there is not specific evidence regarding Confucius Institutes*, and that governance can be strengthened. As a working group of distinguished American scholars and policy practitioners on China and U.S. foreign policy noted in their recent report on Chinese influence:

U.S.-China academic exchanges are valuable to both China and the United States and should be maintained and developed. However, in doing so, universities must be alert to the risks of engaging with the Chinese government, institutions, and funders and be proactive in applying a higher level of due diligence and vigilance as a defense of the core principle of academic freedom, especially when conflicts take place at home in their own universities.<sup>19</sup>

Of note is that this Hoover Institution (Stanford)/Asia Society-convened working group explicitly does *not* endorse closure of Confucius Institutes, provided specific conditions are met.<sup>20</sup> We believe that these and other measures (related to the agreements and the operation of the CITU) can address and mitigate the concerns expressed by those critiquing CIs and allow the University to change course should circumstances change or new evidence surface.

The University Administration will continue to monitor developments with regard to Confucius Institutes generally, as well as the CITU and will review its decision should circumstances change or new information surface.

The renewal will be undertaken under the following conditions. These conditions were identified by the Review Committee after examination of the Hoover Institution/Asia Society working group's and other external recommendations,<sup>21</sup> and taking into account the suggestions from within the Tufts community and from outside counsel with expertise on Confucius Institutes.

1. A renewal period for less than the initially contemplated 5 years will be sought, in order to preserve the university's flexibility and permit any adjustments as circumstances or information change.

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<sup>19</sup> Working Group on Chinese Influence Activities in the United States (Co-chairs: Larry Diamond and Orville Schell). 2018. *Chinese Influence & American Interests: Promoting Constructive Vigilance*. Stanford, CA: Hoover Institution Press, p. 50. [https://www.hoover.org/sites/default/files/research/docs/07\\_diamond-schell\\_sec04\\_web.pdf](https://www.hoover.org/sites/default/files/research/docs/07_diamond-schell_sec04_web.pdf).

<sup>20</sup> These include making CI agreements public, grant of full managerial authority over the CI to the host institution (not on a shared basis with Hanban), and deletion of clauses in the CI agreements referring to compliance with Chinese law.

<sup>21</sup> See note 13, above.

2. Revisions in the terms of the agreement with Hanban that clarify and ensure that Tufts retains management control of the CITU, and that the U.S. laws and Tufts policies and regulations apply to all aspects of the operation of the CITU, will be negotiated. Tufts will also seek to reduce the notice period for termination to allow Tufts to terminate CITU without waiting for 6 months, as contemplated in the current agreement.
3. Governance structures and processes within Tufts will be adjusted to enhance university oversight and transparency of the CITU by:
  - Making CITU annual reports and financial reports, in addition to the the agreements themselves (which already are available on the CITU’s website), public and available through the CITU’s website.
  - Establishing a CITU Program Committee, under the auspices of the Dean of Academic Affairs for Arts & Sciences, comprising Tufts faculty and staff with expertise on Chinese language, culture, politics, history and society, and/or experience working in China, to review qualifications of proposed Chinese staff and review proposed and implemented activities of the CITU, to ensure that they are in accordance with Tufts’ policies and educational priorities. A Program Committee will be an important resource for support and advice to the CITU’s supervisor, the Dean of Academic Affairs for Arts & Sciences.
  - Providing orientation/training for incoming CITU staff and graduate interns on Tufts’ policies on academic freedom.
  - Expanding the EthicsPoint process (or creating a new process) to include a confidential complaint procedure for students and faculty who feel they have come under pressure that threatens academic freedom.<sup>22</sup>
4. The University will continue to develop its relationship with BNU beyond the CITU and independent of it, including working toward an independent Tufts-BNU Memorandum of Understanding in addition to the Agreement of Cooperation Regarding the Confucius Institute at Tufts University.

The Committee and senior leadership at the University strongly believe that the University should remain committed to and support continued engagement with our Chinese academic partners and students. While the CITU is not the only channel for such U.S.-China exchange and learning, it has been of value to the University and has contributed to its educational mission to date. We believe renewal under the conditions specified will strengthen the governance of the CITU and prevent or address the materialization at Tufts of the concerns raised in relation to CIs, especially, but not limited to, undue influence and academic freedom.

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<sup>22</sup> See <https://secure.ethicspoint.com/domain/media/en/gui/7182/index.html>.