

# 12.01.99.C0.02 Academic Freedom



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## Procedure Statement

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Institutions of higher education exist for the common good. The common good depends upon a free search for truth and its free expression. Hence, it is essential that the faculty member be free to pursue scholarly inquiry without undue restriction, and to voice and publish conclusions concerning the significance of evidence considered relevant. The faculty member must be free from the corrosive fear that others, inside or outside the University community, because their vision may differ, may threaten his or her professional career, or the material benefits accruing from it.

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## Reason for Procedure

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This procedure defines academic freedom and explains the associated faculty rights and responsibilities.

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## Procedures and Responsibilities

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1. Each faculty member is entitled to full freedom in the classroom in discussing the subject which he or she teaches, including the absence of pressure from within or outside the institution or from regulations which violate the First Amendment in insisting on orthodoxy in the classroom. Faculty members are also entitled to freedom in the classroom in discussing controversial matters related to their subject.
2. Exercise of professional integrity by a faculty member includes recognition that the public may judge his or her profession and institution by statements made by the faculty member. Therefore, when speaking or acting as a private person, the faculty member should strive to be accurate, to exercise appropriate restraints, to show respect for the opinion of others, and to avoid creating the impression that he or she speaks or acts for the College or University.
3. Faculty members have constitutionally protected rights as citizens to freedom of expression on matters of public concern. A faculty member's comments are protected even though they may be highly critical in tone or content, or erroneous, but such statements are not protected free speech if they either substantially impede the faculty member's performance

of daily duties or if they are part of a continuing pattern of expression of such nature as to destroy the ability to work cooperatively and the morale of a division, department or college.

4. False statements and/or falsification of scholarly work made with knowledge of their falsity or in reckless disregard of the truth are not entitled to constitutional protection. Furthermore, public statements may be without sufficient foundation, so as to call into question the fitness of the faculty member to perform his or her professional duties. In such cases, where the facts are in dispute, hearings will be conducted by a committee of two (2) administrators, including a representative from the Office of the Provost, and three (3) faculty members appointed by the Provost/Vice President for Academic Affairs, in consultation with Faculty Senate, from the Faculty Hearing Committee/Advisory Committee Pool. Due process will be followed. The controlling principle is that a faculty member's expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member's unfitness for his or her position. A faculty member's expression of opinion as a citizen rarely bears upon the faculty member's fitness for job performance. Moreover, a final decision should take into account the faculty member's entire record as a teacher and scholar.
5. Every member of the faculty or staff has the right to participate in political activities so long as such political activities do not interfere with the discharge of the duties and responsibilities that the employee owes to the System or any of its component institutions. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.
6. College and University faculty are members of a learned profession and officers of an educational institution. When they speak or write, 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 others may judge them by their utterances.
7. While academic freedom does not protect faculty members and students from disciplinary action, it does mandate that they receive due process and fair treatment.

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## **Related Statutes, Policies or Requirements**

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System Policy [12.01, Academic Freedom, Responsibility and Tenure](#)

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## **Contact Office**

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Contact for clarification and interpretation: Provost and Vice President for Academic Affairs  
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