

12.01.99.C0.02 Academic Freedom

Revised: September 11, 2023
Next Scheduled Review: April 11, 2027
[Revision History](#)



Procedure Summary

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 be free to pursue scholarly inquiry without undue restriction and to voice and publish conclusions concerning the significance of evidence considered relevant. The faculty must be free from the corrosive fear that others, inside or outside the university community, because their vision may differ or threaten their professional career or the material benefits accruing from it. This procedure defines academic freedom and explains the associated faculty rights and responsibilities.

Procedure

1. Each faculty member is entitled to full freedom in the classroom in discussing the subject which they teach, 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 their 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 opinions of others, and to avoid creating the impression that they speak or act for the academic unit (e.g., college, school, library) or university.
3. Faculty members have constitutionally protected rights as citizens to freedom of expression on matters of public concern. False statements made with knowledge of their falsity or in reckless disregard of the truth are not entitled to constitutional protection. 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 substantially impede the faculty member's performance of daily duties, destroy the ability to work cooperatively, or damage the morale of a department or academic unit.
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 made without sufficient foundation may call into question the fitness of the faculty member to perform their 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 and 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 their position, and that said expression of opinion rarely bears upon the faculty member's fitness for job performance.

5. While academic freedom does not protect faculty members and students from disciplinary action, it does mandate that they receive due process and fair treatment.

Related Statutes, Policies, or Requirements

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

This procedure supersedes:

- *12.01.99.C1.02, Academic Freedom*

Contact Office

Contact for clarification and interpretation: Provost and Vice President for Academic Affairs
(361) 825-2722