**Motion to Adopt a Policy on Academic Freedom and Freedom of Speech**

Number: US10/11-12

Date of Notice: January 27, 2011.

Sponsor: The Ad-Hoc Committee on Academic Freedom Language and Policy

Review

Current Status: Notice has been given

**MOTION:**

**"The University Senate adopts the following Policy on Academic Freedom and Freedom of Speech and recommends that this policy be adopted by the University President on behalf of the University":**

**POLICY ON ACADEMIC FREEDOM AND FREEDOM OF SPEECH**

**Preamble**

The University of Oregon views academic freedom and freedom of speech as the cornerstones to its functioning as a public university in the service of a democratic society. The University of Oregon Constitution stipulates that the constituent groups represented by the University Senate include the Statutory Faculty, librarians, officers of administration, career non-tenure-track research faculty, students, and classified staff. This policy statement defines the conditions of academic freedom and constitutionally-protected free speech accorded to University employees.

**Academic Freedom**

When engaged in instruction or research an Officer of Instruction or Research shall enjoy all the benefits and responsibilities of academic freedom. These are defined as:

 the freedom to conduct research and creative work and to publish or otherwise disseminate the results of that work within the confines of applicable law and policy. This freedom follows immediately from the university’s basic commitment to advancing knowledge and understanding.

 the freedom to teach in the classroom and in analogous settings, within the confines of applicable law and policy. This freedom is

an outgrowth of the previous one. The university must be able not only to disseminate to its students the results of researc but also to train students to think about these results for themselves, often in an atmosphere of controversy that, so long as it remains educationally relevant, actively assists students in mastering the subject and appreciating its significance.

 the freedom to engage in internal criticism, which encompasses the freedom to address any matter of institutional policy or action whether or not as a member of any agency of institutional governance, subject only to applicable law and policy and the rights and obligations of the institution to regulate such activities. Universities promote the common good through broad-based engagement in the scholarly endeavor. Faculty members, because of their education and their institutional knowledge, play an indispensable role as participants in university decision making on matters expressly delegated to the faculty by law and policy.

 the freedom to participate in public debate, both within and beyond their areas of expertise, and to address, as citizens, the larger community with regard to any matter of social, political, economic, or other interest, so long as it is clear from the context that they are not acting or speaking as an employee of the University.

The academic

freedoms, as described above, of these members of the university community are rights protected by the university.

This policy recognizes that academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the responsibility to make it clear in word and context that, when one is speaking as a citizen on matters of public interest, one is not speaking as an employee of the institution.

**Freedom of Speech**

All University employees retain the right coextensive with the First Amendment to the U.S. Constitution, Article I, Section 8 of the Oregon Constitution, and other applicable law and policy, to address any matter of institutional policy or action without fear of institutional discipline or restraint. The broader university community is also guaranteed the protections of freedom of speech coextensive with the First Amendment to the U.S. Constitution, Article 1, Section 8 of the Oregon Constitution, and other applicable law and policy, to address the larger community, as citizens, with regard to any matter of public concern so long as it is clear from the context that they are not acting or speaking as University employees.

This policy, when approved by the UO Senate and the President, shall be incorporated into the University Policy Library.

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n/a

Background:

Report and proposed policy statement of Ad-Hoc Committee on Academic Freedom Language and Policy Review. (January 25, 2011) Link to report: [http://jcomm.uoregon.edu/~cbybee/Report and proposed policy statement of Ad- Hoc Committee on Academic Freedom Language and Policy Review. (January 25,](http://jcomm.uoregon.edu/%7Ecbybee/Report%20and%20proposed%20policy%20statement%20of%20Ad-Hoc%20Committee%20on%20Academic%20Freedom%20Language%20and%20Policy%20Review.%20%20(January%2025%2C%202011)%20.pdf)

[2011) .pdf](http://jcomm.uoregon.edu/%7Ecbybee/Report%20and%20proposed%20policy%20statement%20of%20Ad-Hoc%20Committee%20on%20Academic%20Freedom%20Language%20and%20Policy%20Review.%20%20(January%2025%2C%202011)%20.pdf)

AAUP initiative and resources regarding this current challenge to academic freedom can be found at [<http://www.aaup.org/AAUP/protectvoice/>]

[Article](http://pages.uoregon.edu/uosenate/dirsen090/nelson_nouniversity1.pdf) on Academic Freedom by Cary Nelson, AAUP President