

"Defining Academic Freedom" Inside Higher Ed

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Penn State professors move to give more leeway to faculty members dealing with controversial issues.

Over the course of decades, a great many books, essays, and policies have been written and published about academic freedom. We have learned how to apply it to pedagogical, technological, cultural, and political realities that did not exist when the concept was first defined. Not only faculty members, administrators, trustees, and students, but also parents, politicians, and other members of the public, would now benefit from a concise summary of its major features. Sometimes academic freedom is invoked in situations where it doesn't actually apply. But many within and without higher education are not well-versed in all the protections it does provide. This statement is designed to help clarify both what academic freedom does and doesn't do.

PART 1: What it does do

1. Academic freedom means that both faculty members and students can engage in intellectual debate without fear of censorship or retaliation.
2. Academic freedom establishes a faculty member's right to remain true to his or her pedagogical philosophy and intellectual commitments. It preserves the intellectual integrity of our educational system and thus serves the public good.
3. Academic freedom in teaching means that both faculty members and students can make comparisons and contrasts between subjects taught in a course and any field of human knowledge or period of history.
4. Academic freedom gives both students and faculty the right to express their views — in speech, writing, and through electronic communication, both on and off campus — without fear of sanction, unless the manner of expression substantially impairs the rights of others or, in the case of faculty members, those views demonstrate that they are professionally ignorant, incompetent, or dishonest with regard to their discipline or fields of expertise.
5. Academic freedom gives both students and faculty the right to study and do research on the topics they choose and to draw what conclusions they find consistent with their research, though it does not prevent others from judging whether their work is valuable

and their conclusions sound. To protect academic freedom, universities should oppose efforts by corporate or government sponsors to block dissemination of any research findings.

6. Academic freedom means that the political, religious, or philosophical beliefs of politicians, administrators, and members of the public cannot be imposed on students or faculty.

7. Academic freedom gives faculty members and students the right to seek redress or request a hearing if they believe their rights have been violated.

8. Academic freedom protects faculty members and students from reprisals for disagreeing with administrative policies or proposals.

9. Academic freedom gives faculty members and students the right to challenge one another's views, but not to penalize them for holding them.

10. Academic freedom protects a faculty member's authority to assign grades to students, so long as the grades are not capricious or unjustly punitive. More broadly, academic freedom encompasses both the individual and institutional right to maintain academic standards.

11. Academic freedom gives faculty members substantial latitude in deciding how to teach the courses for which they are responsible.

12. Academic freedom guarantees that serious charges against a faculty member will be heard before a committee of his or her peers. It provides faculty members the right to due process, including the assumption that the burden of proof lies with those who brought the charges, that faculty have the right to present counter-evidence and confront their accusers, and be assisted by an attorney in serious cases if they choose.

PART 2: What It Doesn't Do

1. Academic freedom does not mean a faculty member can harass, threaten, intimidate, ridicule, or impose his or her views on students.

2. Student academic freedom does not deny faculty members the right to require students to master course material and the fundamentals of the disciplines that faculty teach.

3. Neither academic freedom nor tenure protects an incompetent teacher from losing his or her job. Academic freedom thus does not grant an unqualified guarantee of lifetime employment.
4. Academic freedom does not protect faculty members from colleague or student challenges to or disagreement with their educational philosophy and practices.
5. Academic freedom does not protect faculty members from non-university penalties if they break the law.
6. Academic freedom does not give students or faculty the right to ignore college or university regulations, though it does give faculty and students the right to criticize regulations they believe are unfair.
7. Academic freedom does not protect students or faculty from disciplinary action, but it does require that they receive fair treatment and due process.
8. Academic freedom does not protect faculty members from sanctions for professional misconduct, though sanctions require clear proof established through due process.
9. Neither academic freedom nor tenure protects a faculty member from various sanctions — from denial of merit raises, to denial of sabbatical requests, to the loss of desirable teaching and committee assignments — for poor performance, though such sanctions are regulated by local agreements and by faculty handbooks. If minor, sanctions should be grievable; if major, they must be preceded by an appropriate hearing.
10. Neither academic freedom nor tenure protects a faculty member who repeatedly skips class or refuses to teach the classes or subject matter assigned.
11. Though briefly interrupting an invited speaker may be compatible with academic freedom, actually preventing a talk or a performance from continuing is not.
12. Academic freedom does not protect a faculty member from investigations into allegations of scientific misconduct or violations of sound university policies, nor from appropriate penalties should such charges be sustained in a hearing of record before an elected faculty body.

These points are mostly adapted from nearly 100 years of American Association of University Professors policy documents and reports. Since its 1915 founding, the AAUP has been the primary source of the documents outlining the basic principles of faculty rights and responsibilities. It is also the source of perhaps the single best statement of

student rights. Putting the principles above into practice, of course, requires a goodly amount of additional detail, information the AAUP continues to provide and update.