

## Supporting Materials for Petition to amend Policy 6.10

Our [Faculty Constitution](#) defines voting faculty members as all those at the rank of instructor or above who are appointed to probationary or tenured positions. All other members of the faculty are non-voting members.

In 2013 an [AAUP report recommended](#) full voting rights for all faculty members, including contingent faculty. In response to that report and to continuing confusion on campus about voting rights for term and adjunct faculty members, then-Faculty Chair Scott Peters created a committee to study the issue. That committee issued a [report](#) endorsing the AAUP's approach, provided that the university can assure that they can participate freely in shared governance with some level of protection.

In 2016, Faculty Chair Peters convened another committee to consider university policy language that could strengthen protections for academic freedom and participation in shared governance. As part of those discussions, Peters met with United Faculty's Central Committee and the Council of Academic Department Heads, discussing with each model AAUP language that could form the basis of UNI policy (seen below). After those consultations, the committee chose to use AAUP language as the basis for its proposal. As supporting materials below indicate, this would not only strengthen protection for academic freedom and shared governance at UNI, but would bring our policy into alignment with policy at both ISU and UI. Upon promulgation of this new policy, we would proceed with amending the Faculty Constitution to give voting rights to all adjunct and term faculty members who have service obligations as part of their contract.

### AAUP Model Language for policies protecting academic freedom

#### **Academic Freedom and Academic Responsibility sections of the Academic Freedom and Responsibility policy of the University of Minnesota, as amended by the board of regents on June 12, 2009:**

Academic freedom is the freedom to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to speak or write without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties and the functioning of the University.

Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest, one is not speaking for the institution.

#### **AAUP alternative 1:**

Academic freedom is the freedom to teach, both in and outside the classroom, to conduct research and to publish the results of those investigations, and to address any matter of institutional policy or action whether or not as a member of an agency of institutional governance. Professors should also have the freedom to address the larger community with regard to any matter of social, political, economic, or other interest, without institutional discipline or restraint, save in response to fundamental violations of professional ethics or statements that suggest disciplinary incompetence.

#### **AAUP alternative 2:**

Academic freedom is the freedom to teach, both in and outside the classroom, to research and to publish the results of those investigations, and to address any matter of institutional policy or action whether or not as a member of an agency of institutional governance. Professors should also have the freedom to speak to any matter of social, political, economic, or other interest to the larger community, subject to the academic standard of conduct applicable to each

Source: "Protecting an Independent Faculty Voice: Academic Freedom after *Garcetti v. Ceballos*" (<http://www.aaup.org/report/protecting-independent-faculty-voice-academic-freedom-after-garcetti-v-ceballos>)

#### **Board of Regents, State of Iowa Policy:**

##### **6.10 Academic Freedom**

- A. University teachers shall be entitled to freedom in the classroom in discussing the teachers' subject, but should not introduce into the teaching controversial matters that have no relation to the subject.
- B. University faculty are also citizens. When they speak or write as citizens, they should be free from institutional censorship or discipline, but they should remember that the public may judge their institution by their public utterance. Thus, they should make every effort to indicate that they are not speaking for the institution.
- C. Regent universities shall not be or become an instrument of partisan political action. The expression of political opinions and view points shall be those of individuals, not of institutions, because the official adoption of any political position, whether favored by majority or minority, tends to substitute one-sided commitment for the continuing search for truth.

#### **ISU Policies on Academic Freedom, excerpted from Faculty Handbook**

(<http://www.provost.iastate.edu/faculty-and-staff-resources/faculty-handbook>)

- **5.2.1 General Policies on Tenure**

Academic freedom is the freedom to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression and to speak or write as a public citizen without institutional discipline or restraint. Academic responsibility implies the faithful performance of academic duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that the individual is not speaking for the institution in matters of public interest. Tenure is the keystone for academic freedom; it is essential for safeguarding the right of free expression and for encouraging risk-taking inquiry at the frontiers of knowledge. Both tenure and academic freedom are part of an implicit social

compact, which recognizes that tenure serves important public purposes and benefits society. The public is best served when faculty are free to teach, conduct research, provide extension/professional practice services, and engage in institutional service without fear of reprisal or without compromising the pursuit of knowledge and/or the creative process. In return, faculty have the responsibility of furthering high-quality programs of research, teaching, and extension/professional practice, and are fully accountable for his or her performance of these responsibilities. Additionally, a well-designed tenure system attracts capable and highly qualified individuals as faculty members, strengthens institutional stability by enhancing faculty members' institutional loyalty, and encourages academic excellence by retaining and rewarding the most meritorious people. Tenure and promotion imply selectivity and choice; they are granted for scholarly and professional merit. The length and intensity of the review leading to the granting of tenure ensures the retention of only productive faculty; periodic performance reviews ensure the continuance of a commitment to excellence.

... Denial of faculty appointment or reappointment, or removal or suspension from office, or censure, or other penalty must not be based upon any belief, expression, or conduct protected by law or by the principles of academic freedom.

- 7.1.1 Academic Freedom

Academic freedom is the foundation of the university because it encourages and guarantees the right to inquiry, discourse, and learning that characterize a community of scholars. Iowa State University supports full freedom, within the law, of expressions in teaching, investigation in research, and dissemination of results through presentation, performance, and publication. No faculty member shall be judged on any basis not demonstrably related to professional performance. Iowa State University is dedicated to ensuring that faculty have the freedom to engage in teaching, research, extension, administration, and other professional activities and it considers a strong tenure system to be indispensable to the success of fulfilling its obligations. Iowa State University is committed to an uninhibited, robust, and unfettered pursuit of ideas. All members of the university community, faculty, staff, students, and administrators, are members of an ethical team whose goal is to create an environment in which no one hesitates to speak his or her mind for fear of reprisal. Iowa State University will take all appropriate actions to defend academic freedom, and to defend faculty who are accused or charged during the appropriate exercise of their duties.

In the exercise of academic freedom, faculty members may discuss without limitation any topic related to their professional area of expertise in the classroom, at professional meetings, or through publication. As scholars and educational officers, faculty should remember that the public might judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint and should show respect for the opinions of others. When faculty members speak or write as individuals, they should be free from institutional censorship or discipline.

## **University of Iowa Operations Manual, Title III. Human Resources, Chapter 10 Faculty**

- In defining academic freedom, UI's operations manual repeatedly references this quote from the University's "Statement on tenure and academic vitality" in Ch. 10.1a: "free

inquiry and expression are essential to the maintenance of excellence; tenure is essential to free inquiry and expression.”

- Title II, Ch. 10.11.j makes clear that non-tenure track, “Instructional faculty” are included in the university’s protections of academic freedom and shared governance:

Integration of instructional faculty into University mission. Consistent with the role of instructional faculty and with institutional needs, instructional faculty shall be full participants in the educational mission and intellectual life of the University. The University, as well as individual colleges and departments, shall strive to integrate instructional faculty into faculty governance, to stimulate innovation and collaboration in their teaching and other endeavors, to promote diversity and inclusion among their ranks, and to protect their academic freedom.

- Ch. 15.1 Professional Ethics and Academic Responsibility further defines academic freedom:

#### General

The basic functions of the University are the advancement and dissemination of knowledge, the development of critical intelligence, and the education of citizens and professional workers for the society of which the University is a part.

The indispensable condition for the successful discharge of these functions is an atmosphere of intellectual freedom. Unless he or she is free to pursue the quest for knowledge and understanding, wherever it may lead, and to report and discuss the findings, whatever they may be, the University faculty member cannot properly perform his or her work. As a participant in an enterprise that depends upon freedom for its health and integrity, the faculty member has a special interest in promoting conditions of free inquiry and furthering public understanding of academic freedom.

Freedom entails responsibilities. It is incumbent upon the faculty member to accept the responsibilities which are concomitant with the freedom he or she needs....