

2013-xx

DRAFT Resolution on Academic Freedom and Due Process

Recommended by the FA Governance Committee

February 22, 2013

Whereas, academic freedom is an essential component to effective teaching, research and service in university and colleges; and

Whereas, section 600 of the University of North Carolina Code acknowledges this in stating, “The University of North Carolina is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes.” And

Whereas, academic freedom includes comments made in the classroom, intramural comments made within the university and college as well as extramural comments made outside of the university and college; and

Whereas, academic freedom goes in tandem with tenure to assure that faculty can effectively perform their jobs without fear of retribution; and

Whereas, Section 601 (2) of the UNC Code states, “The University and its constituent institutions shall not penalize or discipline members of its faculties because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility;” and

Whereas, faculty are entitled to due process when administration takes any actions that interfere with academic freedom and tenure; and

Whereas, due process protects faculty members against discharge, demotions, failure to promote, and suspensions; and

Whereas, the safeguard afforded by due process includes protection against suspensions or involuntary “administrative leave,” with or without pay, in order to effectively protect academic freedom;

Therefore, Be It Resolved That the UNC Faculty Assembly, reaffirms its commitment to academic freedom as essential to the mission of the UNC system; and

Be it Further Resolved That the Faculty Assembly asserts the primary role of faculty in the determination of what constitutes appropriate or inappropriate material in the classroom as the best means of protecting academic freedom; and

Be it Further Resolved That administrative interference ~~in~~ with the content of faculty member’s course or course materials should be done rarely and with extreme caution due to the negative impact on academic freedom; and

Be it Further Resolved That any administrative interference in course content or classroom activity sufficient to warrant the imposition of a suspension or “administrative leave” against a faculty member must be subject to immediate faculty oversight through a due process hearing.