

Resolution 2010-5. On Supporting a Resolution of the University of North Carolina Faculty Assembly on Academic Freedom.

The Faculty Council resolves:

It is important that the faculty of the University of North Carolina at Chapel Hill reaffirm from time to time the fundamental importance of institutional protections for the academic freedoms of research and publication, teaching, shared governance, and participation in public debate because these freedoms are at the core of the University's teaching, research and service mission.

Therefore, the Faculty Council of the University of North Carolina at Chapel Hill fully endorses the *Resolution on Academic Freedom* adopted by the UNC Faculty Assembly at its 17 September 2010 meeting.

Submitted by Prof. Steven Bachenheimer on behalf of the Faculty Assembly Delegation

Comment: The text of the Faculty Assembly resolution is as follows:

Resolution on Academic Freedom

Whereas, academic freedom is fundamental to the University's goal of advancing and transmitting knowledge; and

Whereas, academic credentials and quality are evaluated by scholarly peer review; and

Whereas, academic freedom also encourages "best-interest" decision making and the creation of a safe and open learning environment by enabling faculty – who are on the frontline of a variety of academic and community issues and are therefore critical players in making decisions that are in the best interest of both the institution and the community – to be fully involved in institutional decision-making; and

Whereas, faculty involvement in institutional decision-making and implementation is essential to ensuring the success of institutional initiatives; and

Whereas, students, faculty, and administration are all best served if faculty are free to express themselves on institutional and other matters without institutional control or intrusion; and

Whereas, section 600 of *The CODE of the University of North Carolina* has long expressed institutional support for academic freedom by stating that academic freedom is "essential" to "the transmission and advancement of knowledge and understanding;" and

Whereas, it is the policy of the University (section 601 of *The CODE*) "to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of the academic staffs of the constituent institution;" and

Whereas, there is a perception that federal courts (*Garcetti v. Ceballos* 2005) are currently abridging the constitutional protection of faculty so that a heightened degree of institutional protection is now required, not as a matter of law, but as a principle vital to the effective functioning of institutions of higher learning; now therefore

Be it Resolved that, on behalf of faculty in the University of North Carolina system, and in light of recent threats to academic freedom, the UNC Faculty Assembly reaffirms the *UNC CODE* statements regarding academic freedom, and adopts the definition and standards of academic freedom outlined in the following "Statement on Academic Freedom."

Be it Further Resolved that the Board of Governors, the General Administration, and the constituent institutions of the UNC System are requested to incorporate an understanding of the "Statement on Academic Freedom" into the *UNC CODE* and other relevant policies and practice of the institution.