

Proposed changes to section on academic freedom

Current Text	Proposed Text
<p>The university adheres in principle to the “1940 Statement of Principles on Academic Freedom and Tenure” of the American Association of University Professors. The university shall defend academic freedom against any encroachment.</p> <p>Faculty members are entitled to full freedom in research and in the publication of its results, subject to the adequate performance of all other academic duties, but research for pecuniary return shall be based upon an understanding with the appropriate university authorities. See also policy ACAF 1.35 Copyright.</p> <p>Faculty members are entitled to freedom in the classroom in discussing their subjects, but shall not introduce controversial matters that have no relation to the subjects.</p> <p>When faculty members speak or write as citizens, they shall be free from institutional censorship or discipline. They shall indicate that they are not speaking for the university.</p> <p>Faculty members who believe their academic freedom has been compromised may request in</p>	<p>The University of South Carolina supports, encourages and defends freedom of inquiry for students, faculty, and staff and recognizes that academic freedom and free speech are foundational to the work of a university. Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. That mission takes place in classrooms and labs, theatres and galleries, dorm rooms and offices, and we affirm academic freedom in all of these spaces. Our identity as a public university also demands that we support free expression to the fullest extent of the First Amendment, and we embrace that charge.</p> <p>The University of South Carolina values the diversity of its community. Individuals of many different ages, gender expressions, races, religions, nationalities, physical abilities, political perspectives, sexual orientations, and other diverse characteristics constitute the University of South Carolina. Speech on campus comes from many kinds of speakers, and many audiences hear it, and the university is committed to upholding the rights of them all. We affirm that this diversity is a source of intellectual strength: because of it, we learn more, produce more knowledge, enjoy greater creativity, and have a larger and more positive impact on the state of South Carolina and on the world.</p>

writing that the president initiate an investigation. The request should clearly and concisely describe the event and circumstances upon which the charge is based. The president may refer the request to an appropriate faculty committee. See also “Academic Grievance Procedures.”

Both the principles of academic freedom and the constitutional protection of free expression maintain that unpopular, distasteful, and even repugnant speech all deserve protection. One’s personal conviction that speech is false, misleading, or pernicious is no reason to suppress it. We recognize that the protection of speech we disagree with is fundamental to our own right to speak, teach and learn freely. Interfering with the speech of others – the so-called heckler’s veto -- violates the rights of speakers and their audiences and ultimately damages the environment for speech on campus for us all. Fostering the capacity of members of the university to engage in debate with those with whom we disagree is fundamental to the mission of the University of South Carolina.

However, nothing guarantees speakers an approving or even a passive audience. Members of the university are free to express their disagreement with speech on campus. The leadership of the university, speaking for the community as a whole, may also express its disapproval of speech that violates the values of diversity, inclusion, tolerance, and mutual respect expressed in the Carolinian Creed.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. The university may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly

incompatible with the functioning of the university. In addition, the university may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the University of South Carolina. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the University of South Carolina's commitment to a completely free and open discussion of ideas.

Preserving academic freedom and other forms of free expression is the shared responsibility of all members of the university community. Creating a culture of free expression, respectful and productive engagement and disagreement on campus requires on-going educational effort, not merely a mechanical application of rules. Nonetheless, the university does have a duty to develop policies and procedures that safeguard this freedom. The broadest possible participation of the members of the academic community should shape both the formulation and the application of these policies and procedures.

The university adheres in principle to the American Association of University Professors' 1940 "Statement of Principles on Academic Freedom and Tenure" as well as the association's 1970 interpretive comments, available here: <https://www.aaup.org/file/1940%20Statement.pdf>. The statement affirms that "Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon

the free search for truth and its free exposition. The university shall defend academic freedom against any encroachment.

Faculty members are entitled to full freedom in research and in the publication of its results, subject to the adequate performance of all other academic duties, but research for pecuniary return shall be based upon an understanding with the appropriate university authorities. See also See also policy ACAF 1.35 Copyright.

Faculty members are entitled to freedom in the classroom in discussing their subjects but shall not introduce controversial matters that have no relation to the subjects.

When faculty members speak or write as citizens, they shall be free from institutional censorship or discipline. They shall indicate that they are not speaking for the university.

Both the protection of academic freedom and the requirements of academic responsibility apply to all faculty members, including part-time faculty and teaching assistants.

Faculty members who believe their academic freedom has been compromised should follow the process described in “Academic Grievance Procedures.”