

## Change #8, Section II, p. 11 of the 2010-2011 Handbook

Rationale: This proposed change is a response to the Supreme Court's decision in the Garcetti case which involved a sanction against a public sector employee for making public comments about issues within his office that were also matters of public concern. Although that case did not involve a university or academic freedom, the case left open the possibility that faculty expression of views about matters of concern both inside the classroom and with respect to university governance might not be protected by the First Amendment. This change makes it clear that at CNU, expression of these views would be protected by academic freedom and would not be subject to sanction by the university.

The proposed section also updates faculty research responsibilities; the current language does not recognize the increased importance of scholarship at CNU.

### **Christopher Newport University subscribes to the mutual concepts of academic freedom and academic responsibility.**

The Board recognizes "academic freedom" as:

- a) the right to full freedom in the classroom in presenting and discussing subjects within one's own recognized area of academic expertise; ~~germane to the course. The Board does not construe academic freedom in the classroom as constituting license on the part of the faculty members to deviate from legitimately established definitions of course content or conduct;~~
- b) ~~the right to full freedom in scholarly research and publication within the time and resource limits imposed by teaching as a faculty member's primary obligation to the University;~~  
**explore all avenues of research, scholarship, and creative expression and to publish the results of these scholarly pursuits;**
- c) **the right to speak or write, without institutional restraint, on matters of public concern or institutional policy. The University will not censure or discipline a faculty member for speaking privately or publicly on such matters, whether or not as a member of a body of university governance.**

Academic responsibility implies the faithful performance of professional duties and obligations. Faculty members have the ~~of a faculty member, when speaking or writing as a private citizen, to be free from institutional censorship or discipline; provided, the faculty member, consistent with one's obligation,~~ as a members of a learned profession and employees of the University, ~~should endeavor to~~ **attempt to** be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to make every reasonable effort to indicate that the faculty member is not an institutional spokesperson. **Faculty members will be guided by academic ethics and professional standards.**

**This policy applies to teaching and research faculty including administrators who have teaching and research roles.**