



### **RESOLUTION 03.3.3 – Academic Freedom:**

March 24, 2003

Motion: McLeod

Second: Ontell

In light of its discussion about academic freedom and the First Amendment, the Mesa Academic Senate adopts this statement, which is influenced by the AAUP 1940's statement on academic freedom.

#### **I. General Principles:**

A. Academic Freedom. In general outline, the principle of academic freedom – rooted in academic tradition and the common law of academe, and recognized by civil courts – may be considered to include, among others, the following elements:

1. The right of faculty members employed in educational institutions to study, inquire, teach, and publish in their fields of expertise, without sanctions by the institutions which employ them, and without restraints by external interests on the basis of ideological content of what is taught.
2. The duty of faculty members to strive for truth in their quest for knowledge and communication of their ideas in all forums.
3. The duty of faculty members, expressing ideas more or less related to academic expertise, to distinguish between their roles as employees of institutions and as individuals having First Amendment rights.
4. The duty of faculty members to avoid imposing in the classroom personal opinions which have no bearing on the subject matter of their expertise.

#### **B. First Amendment Rights.**

1. The First Amendment and subsequent legal opinion has upheld the rights of people in the United States to free expression in speech and press, so long as that expression does not threaten public safety. The operative political and legal notion holds that freedom of expression is essential to democratic society. First Amendment rights complement and undergird the principle of academic freedom. At the same time, constitutional First Amendment rights are more broadly construed in that they extend to all individuals in society and are not limited to professional conduct within an institutional context. Hence, faculty members enjoy both the more particular protections of academic freedom and broader First Amendment rights.

#### **C. Application:**

1. The San Diego Mesa College Academic Senate hereby reaffirms its commitment to upholding the principle of Academic Freedom in teaching and other scholarly endeavors.
2. The San Diego Mesa College Academic Senate hereby reaffirms its commitment to protecting the First Amendment rights of faculty and students in our academic community.

resolution03.3.3