

Community Conversation



Academic Freedom – March 5, 2025

IN OUR GRIT, OUR GLORY™



Welcome

Interim EVC Mark Button

Agenda

Principles of Academic Freedom

Panel

Table Conversations

Student Perspectives

Priorities and Paths Forward

Closing Comments



Academic Freedom – Core Principles



- We are members of a university community that is responsible for the pursuit of truth and the creation and dissemination of knowledge.
- We are charged with designing curricula that fosters **critical thinking**, the reexamination of accepted truths, and the respectful exchange of different perspectives.
- We discuss difficult and controversial topics in our courses that can challenge deeply held beliefs.
- We pursue excellence in our research, innovations, and creative activities.

Academic Freedom – Board of Regents Bylaws



The University serves the people of Nebraska and the common good through learning, teaching, extension work, research, scholarship, and public service. Fulfillment of these functions requires the preservation of intellectual freedoms of teaching, expression, research, and debate...

Members of the professional staff are entitled to freedom in the classroom in discussing their subjects.

BOR Bylaws Section 4.2

Academic Freedom – U.S. Supreme Court



“Our nation is deeply committed to safeguarding academic freedom, which is a transcendent value to all of us, not merely to the teachers concerned. **That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom.**”

Keyishian v. Board of Regents (1967)



“Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.”

*American Association of University Professors,
Statement of Principles on Academic Freedom and Tenure*

Academic Freedom – AAUP (2)

Academic freedom relative to the role of faculty, teachers, researchers — full-time, part-time, tenured and tenure-track, research faculty, practice faculty, lecturers, graduate student instructors, research assistants:

- Individual and collective right of faculty
- Rights with corresponding duties and professional expectations of:
 - germaneness to the subject of the course and learning outcomes
 - professional expertise and scholarly competence
 - faculty review for high quality
 - professional ethics





“Professors demonstrate respect for students as individuals and adhere to their proper roles as **intellectual guides and counselors**....They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.”

*American Association of University Professors,
Statement on Professional Ethics*

Academic Freedom – Key Sources



- *Keyishian v. Board of Regents* (1967)
- American Association of University Professors, 1940 Statement of Principles and 1970 Interpretive Comment.
- American Association of University Professors, Statement on Professional Ethics (2009).
- American Association of University Professors, Freedom in the Classroom (2007).
- American Association of University Professors, Joint Statement on Rights and Freedoms of Students (1967).
- Bylaws of the Board of Regents of the University of Nebraska.
- Board of Regents of the University of Nebraska Policy Commitment to Free Expression; Guide for Facilities Use; and Education (January 12, 2018).
- UNL Faculty Senate, Professional Ethics Statement (2016).
- UNL EVC Office Faculty Resource, Free Speech and Academic Freedom
- AAUP Statement on Professional Ethics
- Nelson, Cary, “Defining Academic Freedom,” Inside Higher Education, December 2010.
- Scott, Joan, “On Free Speech and Academic Freedom,” AAUP JAF 2017.
- Schleck, Julia. *Dirty Knowledge: Academic Freedom in the Age of Neoliberalism*. Lincoln, NE: University of Nebraska Press, 2022.
- Whittington, Keith E. *You Can’t Teach That! The Battle over University Classrooms*. Cambridge, UK: Polity Press, 2024.

Academic Freedom – Syllabus Policies to Consider



Video or Audiotaping Class Sessions

Due to the sensitive and controversial nature of some of the topics that will be discussed over the duration of the semester, all classes are closed to the press/media. No video or audio taping of class sessions is allowed unless you obtain my permission to do so.

Trespass Policy (Regents' Policy 6.4.7)

The areas of University academic, research, public service, and administrative buildings of the University used for classrooms, laboratories, faculty and staff offices, and the areas of University student residence buildings used for student living quarters are not open to the general public. Any person not authorized to be or remain in any such building area will be deemed to be trespassing on University property and may be cited and subject to prosecution for criminal trespass in violation of Neb. Rev. Stat., § 28-520 or § 28-521.

Academic Freedom – Campus Contacts



- **Center for Transformative Teaching**
Nick Monk, Director
Syllabus and Course Policies for Inclusive Teaching: go.unl.edu/CTT-InclusiveTeaching
- **Office of Institutional Equity and Compliance**
Marc Pearce, Associate to the Chancellor
Meagan Counley, Assistant Director and Title IX Coordinator
- **Office of the Executive Vice Chancellor**
Christopher Marks, Associate Vice Chancellor for Faculty Affairs
- **Institute of Agriculture and Natural Resources**
Rich Bischoff, Associate Vice Chancellor
- **Student Conduct and Community Standards**
Andie Barefield, Director
- **Employee Assistance Program**
Kyla Gorji, Director
- **Faculty Ombuds Services**
facultyombuds.unl.edu
- **Academic Rights and Responsibilities Committee (ARRC)**
- **Trusted Colleagues and Mentors**
- **Academic Unit Chair/Director/Head**
- **Dean**
- **Associate Dean for Faculty**

Academic Freedom – Students in the Classroom

- Uphold the student's right to express views based on their personal beliefs without fear of sanction, unless the manner of expression substantially impairs the rights of others.
- Uphold the student's right to reasoned exception and to critically challenge course content.
- Academic freedom gives faculty members and students the right to challenge one another's views.
- If the statement is not relevant to the course, explain that the statement is off-topic, and ask the student to address it outside the class with you.



Academic Freedom – Student Statement Concerns (1)

- Ask for clarification/supporting evidence to support discussion and critical consideration if relevant to course content.
- Do not ignore problematic statements, particularly when central to class content.
- Solicit other views/perspectives if germane to the course content.
- Provide counter examples grounded in evidence/relevant literature.
- Can the comment be turned into a teaching moment – substantively or procedurally?



Academic Freedom – Student Statement Concerns (2)

- If you or other students are concerned about comments that are perceived as threatening, discriminatory, or harassing – document the incident, notify your supervisor, and consult with IEC. IEC works in close coordination with Student Conduct.
- Talk in person — do not engage in email exchanges with the student about a statement of significant concern.
- Members of the university community who have been the targets of, or who witness a discrimination or harassment incident, are encouraged to submit a report at: go.unl.edu/DHreport
- For bona fide threats, contact UNL PD at: 402-472-2222



Academic Freedom – Instructor Concerns

Remember campus contacts available to support you, including:

- Colleagues and Mentors
- Academic Unit Chair/Director/Head
- Dean/Associate Dean for Faculty
- AAUP Nebraska Chapter — aaup-ne.org/chapters-contacts
- Faculty Ombuds Services
- Associate Vice Chancellor for Faculty Affairs, EVC Office
- Associate Vice Chancellor, IANR
- Academic Rights and Responsibilities Committee (ARRC)



Academic Freedom – Internal University Concerns

- Students are encouraged to raise concerns directly with the instructor. This is an opportunity for the instructor to listen and clarify norms and expectations for academic freedom/classroom policies, as well as university policies for student conduct.
- If the matter is not resolved between student and instructor, the likely next step is a consultation with Chair/Director/Head or Dean/Associate Dean.
- AVC for Faculty Affairs/AVC for IANR, General Counsel, and/or IEC can be consulted, as needed.
- ARRC may also be consulted, as needed.



Academic Freedom – External University Concerns

- Direct supervisor and Dean's Office will work in coordination with the instructor about the nature of the complaint.
- In consultation with college and university leadership – including directors of marketing and communication/University Communications – an assessment of the need for a response is made.
- In most cases, there is either no engagement with outside complaint (e.g., social media post) or the recipient of the complaint will be directed to relevant university policies and Board of Regents bylaws.
- Potential personnel matters are not addressed in public.



Instructor Panel

Dr. Lory Dance

Department of Sociology and Institute for Ethnic Studies

Professor Eric Berger

College of Law

Dr. Joy Castro

Department of English and Institute for Ethnic Studies

Dr. Elizabeth Niehaus

Department of Educational Administration

Panel Questions

What is one barrier to success or challenge you are facing in your teaching?

What is currently keeping you inspired, connected, and supported?

Having listened to the panel, what resonated with your own experience or what was missing?

How can we grow, amplify, or enhance the things that keep you inspired, connected, and supported?



Student Perspectives

Elizabeth Herbin

President, ASUN

Venn Jemkur

President, Graduate Student Assembly





What are trends that you observe?
What is particularly striking?

Given what you see, what might be individual and collective paths forward from today?



Closing Comments

Christopher Marks

Associate Vice Chancellor for Faculty Affairs

