

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: III. POSTSECONDARY AFFAIRS

Subsection: B. Academic Freedom and Academic Responsibility

February 2022

1. Definitions

- a. Academic Freedom is a long-standing philosophical, legal, and constitutional principle of freedom of speech that advances the right of postsecondary students, faculty, and institutions to pursue educational opportunities that seek, examine, apply, discuss, and build knowledge, theories, values, concepts, or ideas without fear of censorship, retaliation, or threat to institutional status.
- b. Academic Responsibility is the commitment by students, faculty, and institutions to strive to protect the academic freedom of others by appreciating their special position in the community, performing academic obligations with intellectual honesty, promoting the free exchange of ideas, and showing respect toward those with whom they both agree and disagree.
- c. Faculty are employed to forward the academic mission of a college or university through teaching, research, service, and other scholarly contributions. Students may assume similar employment with institutions as graduate teaching or research assistants. Further, postdoctoral researchers may assume similar employment with institutions. In addition to the foregoing definition, faculty are employees of the institution pursuant to Board Policy II.G.
- d. Student means any person duly admitted and enrolled at an institution under governance of the Board as defined in Board Policy III.P.

2. Students

This policy recognizes the academic freedom and academic responsibility to individuals with the status of student.

a. Academic Freedom of Students

In addition to constitutionally protected freedoms of speech, assembly, and religion, students have the right to engage in free inquiry, intellectual debate, and freedom of scholarship both on and off campus. Students shall not be subject to retaliation, or censorship in response to their beliefs, opinions, research, publications, creative activity, and participation in institutional governance. Students are subject to the responsibilities outlined in paragraph 2.b. of this policy. This academic freedom includes but is not limited to:

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i. Instructional Environments

- 1) Students have the right to express personal opinions about concepts and theories presented in their courses and to disagree with opinions expressed by faculty and fellow students, even as they continue to be responsible for the assigned course content.
- 2) Students are entitled to fair and even treatment in all aspects of student-faculty relationships.
- 3) Students may not be directed or otherwise compelled to personally affirm, adopt or adhere to any particular political, religious or philosophical tenet or ideology.
- 4) Students shall not be evaluated on the basis of their adherence to any particular political, religious, or philosophical tenet or ideology.

ii. Research, Publication, and Creative Activity

- 1) Students may pursue research topics of their choosing, pursuant to institutional research standards.
- 2) Students have the right to publish and present their research as well as engage in the production and exhibition of creative works.
- 3) Students are entitled to attribution for discoveries and original research conducted.

iii. Participation in Institutional Governance

- 1) Students have the right to participate in institutional governance through appropriate institutional processes.
- 2) Students have the right to express opinions and provide feedback concerning institutional governance and administration without fear of censorship or retaliation.
- 3) In matters of disciplinary action, students have the right to due process and to be held accountable using academic standards and institutional procedures.

iv. Community and Campus Involvement

- 1) Students have the right of free expression on and off campus.
- 2) Students have the right to organize student associations and to request official recognition or status from their institution for such associations.
- 3) Students have the right to be free from requirements to make personal or political choices against their beliefs or values.

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b. Academic Responsibility of Students

Academic freedom carries certain responsibilities which broadly include contributions to the academic community, acknowledgement of the validity of a diverse range of perspectives, commitment to learning relevant information, and good stewardship of the academic community. Students assume, at minimum, the following responsibilities in relation to academic freedom:

- i. By enrolling in a public postsecondary institution, students agree to adhere to the institutions' student codes of conduct and to respect the rights of others, including the right to express differing opinions. Students also agree to acknowledge that faculty may expose students to a broad range of diverse perspectives, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off campus. Expression of dissent and attempts to produce change shall not be carried out in ways which injure individuals, damage institutional facilities, disrupt classes, or interfere with institutional activities. Students who seek to call attention to grievances must do so in accordance with institutional policies and procedures, and in ways that do not significantly impede the academic functions of the institution.
- ii. Students have a responsibility to engage in scholarship, learn material that is relevant to course outcomes, and adhere to course syllabi, institutional student codes of conduct, and other institutional policies related to research and publication.
- iii. Students are responsible for the academic integrity of their coursework, including, but not limited to, producing original works for assignments, completing assessments, and activities using their own knowledge and experience.
- iv. Students are responsible for conducting and reporting research in an ethical manner. The design, conduct, and presentation of research may exist beyond the contexts of a specific course. However, students are subject to an institution's expectations for scholarly inquiry and academic integrity.
- v. Students shall not threaten the rights or the safety of others while exercising academic freedom. Students will frequently participate in pluralistic learning environments, but shall not be required to make personal or political choices against their beliefs or values.

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3. Faculty

This policy recognizes the academic freedom and academic responsibility to individuals with the status of faculty.

a. Academic Freedom of Faculty

In addition to constitutionally protected freedoms of speech, assembly, and religion, faculty have the right to engage in free inquiry, intellectual debate, and freedom of scholarship both on and off campus. Faculty shall not be subject to retaliation or censorship in response to their research, publications, creative activity, pedagogy, participation in institutional governance, and all other official aspects of their job description. When speaking or writing as a citizen, each faculty member should be free from institutional censorship or discipline. Faculty are subject to the responsibilities outlined in paragraph 3.b. of this policy. This academic freedom includes but is not limited to:

i. Pedagogy and Curriculum Development

- 1) Faculty have the right to determine course content, including the use of relevant materials, subject to institutional curriculum development processes and policies.
- 2) Faculty have the right to determine the instructional methodologies used to engage learners in the course content and evaluate student performance.

ii. Research, Publication, and Creative Activity

- 1) Faculty may pursue research topics of their choosing, pursuant to institutional research standards.
- 2) Faculty have the right to publish and present their research as well as engage in the production and exhibition of creative works, within the requirements of Board Policy V.M. related to intellectual property.
- 3) Faculty are entitled to attribution for discoveries and original research.

iii. Participation in Institutional Governance

- 1) Faculty have the right to participate in institutional governance.
- 2) Faculty have the right to express opinions and provide feedback concerning institutional governance and administration without fear of censorship or retaliation.
- 3) In matters of promotion, tenure, and disciplinary action, faculty have the right to due process and to be judged by their peers using established academic standards and institutional procedures.

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- 4) Faculty have the right to participate in institutional processes that determine who may teach, what may be taught, how it shall be taught, and what methods will be used for student admission.

b. Academic Responsibility of Faculty

Academic freedom carries with it certain responsibilities which broadly include maintaining competence in scholarship, exposing students to a diverse range of perspectives, ensuring that students are taught relevant information, and being good stewards of the academic community. Faculty assume, at minimum, the following responsibilities in relation to academic freedom:

- i. Each faculty member of the institution is a citizen, a member of a learned profession, and a representative of the institution. Membership in the academic community imposes on faculty an obligation to respect the rights of others, including the right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off campus. Expression of dissent and attempts to produce change shall not be carried out in ways which injure individuals, damage institutional facilities, disrupt classes, or interfere with institutional activities. Faculty who seek to call attention to grievances must do so in accordance with institutional policies and procedures, and in ways that do not significantly impede the academic functions of the institution. As a member of the academic community and a representative of the institution, each faculty member should at all times be intellectually honest, exercise appropriate restraint, and make every effort to indicate that he or she is not an official spokesperson for the institution. Furthermore, each faculty member must refrain from using institutional resources to further his or her interests or activities which are not a part of the assigned responsibilities to the institution.
- ii. Faculty members are expected to maintain professional competence in their field(s) of specialization, congruent with their teaching, service, and scholarly expectations.
- iii. Faculty are responsible for presenting the content in their courses in a way that is consistent with the collective goals of the institution, college, and department or program. When presenting content, faculty may expose students to an intellectual diversity of scholarly and creative views related to the faculty member's discipline and/or specific field of study.
- iv. Faculty shall meet their workload requirements established in their employment agreements. This may include the expectation that the faculty member conducts class, meets with and mentors students, provides clear learning

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- outcomes, and/or participates in group deliberations to develop instructional programs.
- v. Faculty are responsible for participating in institutional processes to establish goals for student learning, to design and implement general programs of education and specialized study that intentionally cultivate intended learning, and to assess students' achievement.
 - vi. Faculty shall not threaten the rights or the safety of students, other faculty, and administrators, while exercising academic freedom. Faculty may not refuse to enroll or teach a student because of the student's beliefs, interpretations, or applications of knowledge. Faculty have the responsibility to facilitate pluralistic learning and work environments, but shall not require others to make personal or political choices against their beliefs or values.

4. Institutions

This policy confers academic freedom and academic responsibility to institutions.

a. Academic Freedom of Institutions

Institutional rights to academic freedom are in concert with the academic freedom of students and faculty. A college or university has the autonomy to create and maintain an atmosphere which is most conducive to a diverse range of scholarship. Institutions have the right to develop processes that determine who may teach, what may be taught, how it shall be taught, and what methods will be used for student admission, pursuant to Board Policy III.Q.

Institutions perform functions, such as the selection of faculty and admission of students, that are intertwined with the exercise of academic freedom. The academic freedom of an institution is necessary to protect and support the academic freedom of those who comprise an institutional community.

b. Academic Responsibility of Institutions

Academic freedom carries with it certain responsibilities which broadly include the educational functions of an institution, the ethical administration of academic affairs, and the protection of student and faculty academic freedom. Institutions assume, at minimum, the following responsibilities in relation to academic freedom:

- i. Institutions have a responsibility to set, maintain, and enforce policies that protect the academic freedom and promote the academic responsibility of faculty and students.

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- ii. Institutions shall adopt appropriate procedures for transparently evaluating the members and activities of the academic community that are consistent with and respectful of the ideals of academic freedom.
- iii. Institutions shall also dedicate adequate resources, space, and programming toward the advancement of academic freedom among its greater community.
- iv. Institutions have a responsibility to create and deliver academic programs and shall develop appropriate policies and processes to aid content and curriculum delivery that are consistent with the ideals of academic freedom.
- v. Institutions must create admissions and selection policies, procedures, and practices for students that are in harmony with the academic mission of the institution and that are consistent with the ideals of academic freedom.
- vi. Institutions have the responsibility to facilitate pluralistic learning environments, but shall not require others to make personal or political choices against their beliefs or values.

5. Limitations

The following limitations exist to the academic freedom and academic responsibility of students, faculty, and institutions:

- a. Academic freedom does not permit members of an institutional community to harass, threaten, or intimidate others.
- b. Student academic freedom does not grant students the right to refuse to complete assigned coursework without consequence.
- c. Academic freedom does not protect faculty members from colleague or student challenges to, or disagreement with, their instructional methods.
- d. Academic freedom does not protect faculty or students from institutional or non-institutional penalties for violating the law.
- e. Academic freedom does not confer the right to faculty or students to violate institutional policies; though academic freedom does confer the right of faculty and students to criticize such policies.
- f. Academic freedom does not protect faculty or students from disciplinary action consistent with established institutional policies.

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- g. Academic freedom does not protect faculty or students from sanctions or dismissal for professional misconduct or poor performance consistent with established institutional policies.
- h. Academic freedom does not protect faculty or students from investigations into allegations of or discipline for scientific misconduct or other violations of institutional policy.