

Senate Resolution 661

By: Senators Johnson of the 1st, Hamrick of the 30th, Smith of the 52nd and Balfour of the 9th

A RESOLUTION

1 Recommending the observance of the Academic Bill of Rights at public and private
2 universities in Georgia; and for other purposes.

3 WHEREAS, the central purposes of a university are the pursuit of truth, the discovery of new
4 knowledge through scholarship and research, the study and reasoned criticism of intellectual
5 and cultural traditions, the teaching and general development of students to help them
6 become creative individuals and productive citizens of a pluralistic democracy, and the
7 transmission of knowledge and learning to a society at large; and

8 WHEREAS, free inquiry and free speech within the academic community are indispensable
9 to the achievement of these goals, the freedoms to teach and to learn depend upon the
10 creation of appropriate conditions and opportunities on the campus as a whole as well as in
11 the classrooms and lecture halls, and these purposes reflect the values – pluralism, diversity,
12 opportunity, critical intelligence, openness, and fairness – that are the cornerstones of
13 American society; and

14 WHEREAS, academic freedom and intellectual diversity are values indispensable to the
15 American university. From its first formulation in the General Report of the Committee on
16 Academic Freedom and Tenure of the American Association of University Professors, the
17 concept of academic freedom has been premised on the idea that human knowledge is a
18 never-ending pursuit of the truth, that there is no humanly accessible truth that is not in
19 principle open to challenge, and that no party or intellectual faction has a monopoly on
20 wisdom; and

21 WHEREAS, academic freedom is most likely to thrive in an environment of intellectual
22 diversity that protects and fosters independence of thought and speech. In the words of the
23 General Report, it is vital to protect "as the first condition of progress, [a] complete and
24 unlimited freedom to pursue inquiry and publish its results"; and

1 WHEREAS, because free inquiry and its fruits are crucial to the democratic enterprise itself,
2 academic freedom is a national value as well. In a historic 1967 decision, the Supreme Court
3 of the United States overturned a New York State loyalty provision for teachers with these
4 words: "Our Nation is deeply committed to safeguarding academic freedom, [a] transcendent
5 value to all of us and not merely to the teachers concerned." (*Keyishian v. Board of Regents*
6 of the Univ. of the State of New York). In *Sweezy v. New Hampshire*, (1957), the Court
7 observed that the "essentiality of freedom in the community of American universities [was]
8 almost self-evident"; and

9 WHEREAS, academic freedom consists in protecting the intellectual independence of
10 professors, researchers, and students in the pursuit of knowledge and the expression of ideas
11 from interference by legislators or authorities within the institution itself, meaning that no
12 political, ideological, or religious orthodoxy should be imposed on professors and researchers
13 through the hiring, tenure, or termination process, nor through any other administrative
14 means by the academic institution, nor should the legislature impose any such orthodoxy
15 through its control of the university budget; and

16 WHEREAS, from the first statement on academic freedom, it has been recognized that
17 intellectual independence means the protection of students as well as faculty from the
18 imposition of any orthodoxy of a political, ideological, or religious nature. The 1910 General
19 Report admonished faculty to avoid "taking unfair advantage of the student's immaturity by
20 indoctrinating him with the teacher's own opinions before the student has had an opportunity
21 fairly to examine other opinions upon the matters in question, and before he has sufficient
22 knowledge and ripeness of judgment to be entitled to form any definitive opinion of his
23 own." In 1967, the American Association of University Professors' Joint Statement on
24 Rights and Freedoms of Students reinforced and amplified this injunction by affirming the
25 inseparability of "the freedom to teach and freedom to learn." In the words of the report,
26 "Students should be free to take reasoned exception to the data or views offered in any course
27 of study and to reserve judgment about matters of opinion."

28 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that to secure the intellectual
29 independence of faculty and students and to protect the principle of intellectual diversity,
30 this body strongly recommends that the following principles and procedures be observed at
31 all public and private colleges and universities within the State of Georgia:

32 1. All faculty members shall be hired, fired, promoted, or granted tenure on the basis of
33 their competence and appropriate knowledge in the field of their expertise and, in the

- 1 humanities, the social sciences, and the arts, with a view toward fostering a plurality of
2 methodologies and perspectives. No faculty member shall be hired, fired, or denied
3 promotion or tenure solely on the basis of his or her political or religious beliefs;
- 4 2. All tenure, search, or hiring committee deliberations shall be recorded and made
5 available to appropriately constituted authorities empowered to inquire into the integrity
6 of the process, although the names of committee members may be redacted. No faculty
7 member shall be excluded from a tenure, search, or hiring committee on the basis of his or
8 her political or religious beliefs;
- 9 3. Students shall be graded solely on the basis of their reasoned answers and appropriate
10 knowledge of the subjects and disciplines they study, not on the basis of their political or
11 religious beliefs;
- 12 4. Curricula and reading lists in the humanities, the social sciences, and the arts shall
13 respect the uncertainty and unsettled character of all human knowledge in these areas and
14 provide students with dissenting sources and viewpoints. While teachers are and should
15 be free to pursue their own findings and perspectives in presenting their viewpoints, they
16 should consider and make their students aware of other viewpoints. Academic disciplines
17 should welcome a diversity of approaches to unsettled questions;
- 18 5. Exposing students to the spectrum of significant scholarly viewpoints on the subjects
19 examined in their courses is a major responsibility of faculty. Faculty members shall not
20 use their courses for the purpose of political, ideological, religious, or anti-religious
21 indoctrination;
- 22 6. Selection of speakers, allocation of funds for speaker programs, and other student
23 activities shall reflect the principles of academic freedom and promote intellectual
24 pluralism;
- 25 7. An environment conducive to the civil exchange of ideas being an essential component
26 of a free university, the obstruction of invited campus speakers, destruction of campus
27 literature, or other effort to obstruct this exchange shall not be tolerated; and
- 28 8. Knowledge advances when individual scholars are left free to reach their own
29 conclusions about which methods, facts, and theories have been validated by research.
30 Academic institutions and professional societies formed to advance knowledge within an

1 area of research, maintain the integrity of the research process, and organize the
2 professional lives of related researchers serve as indispensable venues within which
3 scholars circulate research findings and debate their interpretations. To perform these
4 functions adequately, academic institutions and professional societies should maintain a
5 posture of organizational neutrality with respect to the substantive disagreements that
6 divide researchers on questions within or outside their fields of inquiry.

7 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
8 to transmit appropriate copies of this resolution to the Board of Regents of the University
9 System of Georgia and to the president of every college and university in this state.