

Senate Resolution 661

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

ADOPTED SENATE

A RESOLUTION

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

3 WHEREAS, the principles enumerated in this resolution fully apply only to public
4 universities that present themselves as bound by the canons of academic freedom contained
5 within. Nothing in this resolution shall be construed as interfering with the right of a private
6 institution to restrict academic freedom on the basis of creed or belief; and

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

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

18 WHEREAS, academic freedom is indispensable to the American university. From its first
19 formulation in the General Report of the Committee on Academic Freedom and Tenure of
20 the American Association of University Professors, the concept of academic freedom has
21 been premised on the idea that human knowledge is the pursuit of the truth, that there is no
22 humanly accessible truth that is not in principle open to challenge; and

23 WHEREAS, academic freedom is most likely to thrive in an environment that protects and
24 fosters independence of thought and speech. In the words of the General Report, it is vital

1 to protect "as the first condition of progress [a] complete and unlimited freedom to pursue
2 inquiry and publish its results"; and

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

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

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

30 WHEREAS, the academic criteria of the scholarly profession should include reasonable
31 scholarly options within the areas of discipline; and

32 WHEREAS, the value of the life of the mind was articulated by Thomas Jefferson when he

1 stated, "We are not afraid to follow truth wherever it may lead, nor to tolerate any error so
2 long as reason is left free to combat it;" and

3 WHEREAS, the education of the next generation of leaders should contain rigorous and
4 balanced exposure to significant theories and thoughtful viewpoints, and students should be
5 given the knowledge and background that empowers them to think for themselves.

6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that to secure the intellectual
7 independence of faculty and students and to protect the principles of academic freedom, this
8 body strongly recommends that the following principles and procedures be observed at all
9 public colleges and universities within the State of Georgia:

10 1. All faculty members shall be hired, fired, promoted, or granted tenure on the basis of
11 their competence and appropriate knowledge in the field of their expertise. No faculty
12 member shall be hired, fired, or denied promotion or tenure solely on the basis of his or her
13 political or ideological beliefs;

14 2. No faculty member shall be excluded from a tenure search or hiring committee on the
15 basis of his or her political or ideological beliefs;

16 3. Students shall not be graded on the basis of their political or ideological beliefs. Each
17 college and university should have well known and publicly accessible policies and
18 procedures available to students who believe they have been penalized for their social,
19 political, or ideological beliefs;

20 4. While teachers are and should be free to pursue their own findings and perspectives in
21 presenting their viewpoints, they should consider and make their students aware of other
22 viewpoints. Academic disciplines should welcome exploration of unsettled questions;

23 5. Faculty members should not use their courses for the purpose of political or ideological
24 indoctrination;

25 6. 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 efforts to obstruct this exchange shall not be tolerated; and

1 7. Knowledge advances when individual scholars are left free to reach their own
2 conclusions about which methods, facts, and theories have been validated by research.
3 Academic institutions formed to advance knowledge within an area of research, maintain
4 the integrity of the research process, and organize the professional lives of related
5 researchers serve as indispensable venues within which scholars circulate research findings
6 and debate their interpretations.

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.