

Academic Freedom and Free Speech Resource Guide

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This document was created by the Chancellor's Commission for Freedom of Expression and Civil Discourse. Members include Rob Manzke, Troy Seppelt, Dona Warren, Erin Speetzen, Dave Dettman, Michelle Miller, and John Blakeman. Staff from Human Resources and Academic Affairs were also consulted in its creation.

Statement of Administrative Support

The University of Wisconsin Stevens Point (UWSP) is dedicated to developing, supporting, and educating students and citizens to actively engage in local, regional, and global communities. To achieve this, UWSP fosters a learning environment that values community engagement, critical thinking, diversity, and inclusivity, while recognizing the essential roles of academic freedom and freedom of speech.

Faculty, staff, and students are encouraged to explore all avenues of scholarship, research, and creative expression. Faculty and instructors have the freedom to discuss all relevant matters in the classroom, regardless of how controversial they may be. It is acknowledged that presenting controversial ideas may lead to diverse opinions, some of which may be considered offensive, unwise, or immoral by members of the campus community. The University upholds the First Amendment rights of students, faculty, and staff to engage in free, robust, and uninhibited debate on such topics, even when the speech is disagreeable. Furthermore, the University is committed to creating an environment where these conversations foster understanding and constructive communication, while preserving the dignity and humanity of all community members.

Thomas Gibson, Chancellor

What is Academic Freedom?

UW-Stevens Point has adopted the [AAUP 1940 Statement of Principles and Interpretive Comments on Academic Freedom and Tenure](#) as our official [Handbook Policy on Academic Freedom](#).

The following points, copied from the AAUP statement, serve to define Academic Freedom.

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matters which have no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

According to the AAUP “[b]oth the protection of academic freedom and the requirements of academic responsibility apply not only to the full-time probationary and the tenured teacher, but also to all others, such as part- time faculty and teaching assistants, who exercise teaching responsibilities.”

What it means for students.

The [UWSP Communal Rights and Responsibilities](#) outlines what members of the UWSP community, including faculty, staff, students, and administrators can expect with respect our campus environment. Included in these are several provisions directly related to student's Academic Freedom including:

- An openness and receptivity to a wide range of ideas, regardless of source, which are engaged on the basis of merit.
- The right, as provided by applicable UW system policy and federal and state statutes, to lobby, demonstrate, circulate petitions, distribute leaflets, listen to speakers of their choice, use campus facilities for all lawful purposes and respect of others to do the same.
- The right to express (or not express) beliefs and opinions on all issues, and to challenge the beliefs and opinions of others.
- Students have the right to be evaluated in a fair and equitable manner according to course objectives as outlined in the syllabus and without reference to their personal or political views. Evaluations shall be based on demonstrated learning of course content and meeting other course requirements. Students have the responsibility to participate fully in the learning experience and to complete all course requirements.

While not formally adopted by UWSP, additional guidance on student rights in the classroom can be found in the AAUP [Joint Statement on Rights and Freedoms of Students](#) which outlines minimum standards of academic freedom of students and makes it clear that academic freedom extends to both teachers and students. Relevant excerpts of the statement linked above are shared below (emphasis added).

AAUP policy defines freedom to learn as “depend[ing] upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community.” and, like faculty, “students should exercise their freedom with responsibility.”

- a. This statement protects not only the free expression rights of students generally, but speaks specifically to student academic freedom in the classroom. **It requires “[t]he professor ... [to] encourage free discussion, inquiry, and expression, [and to evaluate students] solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.**

- b. It also gives students protection of freedom of expression (“**students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled**”), and protection against improper academic evaluation (“**students should have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled**”).

What is the Difference Between Academic Freedom and Free Speech?

While both Academic Freedom and Free Speech allow individuals to express their ideas and opinions without fear of censorship or retaliation and are considered fundamental rights to democracy, there are several important differences.

Scope and Context

- Free speech is a constitutional right that applies to all individuals in public spaces. It allows people to express their opinions without governmental interference. First Amendment rights are focused on the individual.
- Academic Freedom is a subset of the right to freedom of expression that is more specific to the academic context and protects the rights of scholars to pursue research, teach, and publish without undue restriction. It is subject to scholarly standards and peer review and must meet the standards of disciplinary competence. Academic Freedom protects faculty when they are engaged in their professional activities.

Standards and Responsibilities

- Free speech does not require factual accuracy or adherence to scholarly standards. People can express opinions freely, even if they are not well-informed. Most expressions are given equal protection under the First Amendment, however, some speech, such as defamation or “true threats,” is not protected speech.
- Academic Freedom requires adherence to rigorous standards of evidence, reason, and objectivity. Academic Freedom is predicated on the notion that differing ideas are not all equal and certain ideas must be rejected to advance knowledge in the field. Some speech that may be protected by the First Amendment is not protected by Academic Freedom, such as statements that demonstrate disciplinary incompetence or that go against standards of professional ethics.

Institutional Context

- Free speech is a right protecting against government interference and applies broadly across society.

- Academic freedom is specific to educational institutions and is designed to support the pursuit of knowledge within universities and colleges.

Definition of Political Speech/Activity & Restricted Activities

There are specific guidelines we must follow regarding political campaign activities, which are governed by Regent policy and state law. Here are three key restrictions:

1. No political campaign activities during work time.
2. No use of state resources for political campaign activities at any time.
3. No solicitation of contributions or services for political purposes from other university employees during their official duties. ([Wis. Stat. § 11.1207](#))

Examples of state resources include, but are not limited to:

- Institutional letterhead and logos
- Office space and facilities
- Office supplies
- Photocopiers
- Telephones or fax machines
- Electronic resources such as email, websites, online discussion boards, cell phones, or similar resources

As private citizens, you are encouraged to engage in political activities on your own time and with your own resources. However, to maintain a neutral work environment, please ensure our offices and common spaces are free from political and campaign materials.

What if Someone Alleges That I Engaged in Impermissible Activity?

Claims made by students regarding impermissible speech or action within the classroom will be referred to the appropriate academic unit for assessment. Depending on the nature and merits of the claim, the matter may be referred to Human Resources or the Office of the Provost or resolved at the Dean's level. If an instructor is directly confronted by a student about speech or actions, the student should be directed to the Unit Chair, College Dean's Office, or the Provost, who can guide them through the appropriate process for filing a complaint.

Issues raised by external parties and received by University Administration will be addressed by University Administration. Depending on the nature and merits of the claim, the instructor may be contacted, and the matter may be referred to Human Resources or the Office of the Provost for further review. Alternatively, a response may be provided citing the Commitment to Academic Freedom. If the concern does not warrant a response, no response will be given, or advisement on the importance of academic freedom may be returned to the party. Instructional staff are encouraged to refer any complaints received by external parties to the Office of the Provost for assessment and determination of response.

Who do I contact if ...

my students or I feel harassed by a campus visitor or protestor

Call University Police (715-346-3456)

my class is disrupted by a campus visitor or protestor

Call University Police (715-346-3456)

I receive a media request

Contact the Director of Strategic Communications

Carrie Heibler

715-346-3572

cheibler@uwsp.edu

I receive an open record or freedom of information act request

Contact the Chief of Staff and UWSP Public Records Custodian

Rob Manzke

715-346-3738

rmanzke@uwsp.edu

Please see the [Public Records Notice statement](#) for additional information.

I have a disruptive student in the classroom

Contact the Office of the Dean of Students

715-346-2611

dos@uwsp.edu

I fear violence or am threatened

For civil disturbances that could threaten safety or property, follow the [procedure](#) provided by Emergency Management.

Call 911 or University Police (715-346-3456)

For violent or criminal action or behavior, follow the [guidance](#) issued by Emergency Management.

More information about UWSP's emergency procedures can be found on the [Emergency Procedures webpage](#).

I receive a phone call that is harassing or abusive

Contact Human Resources

hr@uwsp.edu

I witness a hate or bias incident

Report the incident to the [Hate/Bias Response Team](#).

I want to talk to someone about facilitating difficult classroom conversations

Contact the Center for Inclusive Teaching and Learning

cifl@uwsp.edu

Universities of Wisconsin Policy and Guidance

[Commitment to Academic Freedom and Freedom of Expression](#)

[Copying and Recording of Instructional Materials or Lectures](#)

[Guidance on Political Campaign Activities](#)

[Civil Dialogues \(includes information on UW System Policy and Legal Resources\)](#)

[Institutional Statements](#)

Note that the policy on Institutional Statements states that “[t] his policy does not apply to statements made by faculty or staff in exercising academic freedom with respect to scholarship, teaching, and intellectual debate, nor to faculty or staff acting on their own behalf in their capacity as individuals and not purporting to speak in the name of and on behalf of any university or unit.”