



UNIVERSITY OF GUAM
UNIBETSEDÅT GUÅHAN
Board of Regents

Resolution No. 21-18

RELATIVE TO FORMALLY AFFIRMING THE PRINCIPLES OF ACADEMIC FREEDOM BASED ON THE AAUP STATEMENT (1940) OF PRINCIPLES OF ACADEMIC FREEDOM

WHEREAS, the University of Guam (UOG) is the primary U.S. Land Grant institution accredited by the Western Association of Schools and Colleges Senior College and University Commission serving the post-secondary needs of the people of Guam and the Western Pacific region;

WHEREAS, the faculty of UOG formally seeks to affirm the Principles of Academic Freedom based upon the American Association of University Professors (AAUP) Statement (1940) of Principles of Academic Freedom as part of UOG's Policy Manual;

WHEREAS, the AAUP notes Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. 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;

WHEREAS, the Board of Regents (BOR) and the Union agree that the following are rights the Board and the Administration shall accord to all Faculty members Academic freedom rights, which include:

- a. the right to introduce controversial topics into the classroom as long as these topics are related to the subject under study;
- b. the right to pursue research and to publish research findings as part of one's academic duties, and to conduct their research honestly and report their findings accurately; and
- c. the right to express their views (orally or in writing) on controversial matters within as well as beyond their areas of special expertise without being subject to censorship or disciplinary action by the Administration";

WHEREAS, the UOG Draft Academic Affairs Manual notes that Academic freedom consists of a body of rights, not written into law but well established in custom and grounded in traditions of long standing in the colleges and universities of the Western World. It is designed to protect professional scholars from hazards that might interfere with the obligations to pursue truth. The justification of academic freedom is that it is indispensable to the scholar in the preservation, extension, and dissemination of knowledge;

WHEREAS, the AAUP recommends further language on Academic Freedom and Protection against Discrimination, that all members of the faculty, whether tenured or not, are entitled to:

- a. academic freedom as set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, formulated by the Association of American Colleges and Universities and the American Association of University Professors;
- b. protection against illegal or unconstitutional discrimination by the institution, or discrimination on a basis not demonstrably related to the faculty member's professional performance, including but not limited to race, sex, religion, national origin, age, disability, marital status, or sexual orientation; and

WHEREAS, the Academic, Personnel and Tenure Committee has reviewed the enclosed document and recommends to the BOR to formally affirm the Principles of Academic Freedom that are articulated in the AAUP Statement (1940) of Principles on Academic Freedom.

NOW THEREFORE BE IT RESOLVED THAT, the BOR and UOG formally affirms the following Principles of Academic Freedom that are articulated in the AAUP Statement (1940) of Principles on Academic Freedom and presented herein:

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 matter which has 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; and

BE IT FURTHER RESOLVED, that both 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.

Adopted this 16th day of September, 2021.



Liza J. Provide, Chairperson

ATTESTED:



Thomas W. Krise, Ph.D., Executive Secretary

RELATIVE TO FORMALLY AFFIRMING THE PRINCIPLES OF ACADEMIC FREEDOM BASED ON
THE AAUP STATEMENT (1940) OF PRINCIPLES OF ACADEMIC FREEDOM.

WHEREAS, the University of Guam acknowledges Academic Freedom Rights in the Board of Regents and UOG Faculty Union Agreement; and

WHEREAS, the draft Academic Affairs Manual from the University of Guam notes the importance of Academic Freedom;

The faculty of the University of Guam formally seeks to affirm the Principles of Academic Freedom based upon the *American Association of University Professors* (AAUP) Statement (1940) of Principles of Academic Freedom as part of UOG's Policy Manual.

WHEREAS, the AAUP notes Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. 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.³

WHEREAS, the Board of Regents and the Union agree that the following are rights the Board and the Administration shall accord to all Faculty members:

- 1) Academic freedom rights, which include:
 - a) the right to introduce controversial topics into the classroom as long as these topics are related to the subject under study;
 - b) the right to pursue research and to publish research findings as part of one's academic duties, and to conduct their research honestly and report their findings accurately; and
 - c) the right to express their views (orally or in writing) on controversial matters within as well as beyond their areas of special expertise without being subject to censorship or disciplinary action by the Administration."

WHEREAS, the UOG Draft Academic Affairs Manual notes that Academic freedom consists of a body of rights, not written into law but well established in custom and grounded in traditions of long standing in the colleges and universities of the Western World. It is designed to protect professional scholars from hazards that might Interfere with the obligations to pursue truth. The justification of academic freedom is that it is indispensable to the scholar in the preservation, extension, and dissemination of knowledge.

AND WHEREAS, the AAUP recommends further language on Academic Freedom and Protection against Discrimination

- a. All members of the faculty, whether tenured or not, are entitled to academic freedom as set forth in the 1940 *Statement of Principles on Academic Freedom and*

Tenure, formulated by the Association of American Colleges and Universities and the American Association of University Professors.

- b. All members of the faculty, whether tenured or not, are entitled to protection against illegal or unconstitutional discrimination by the institution, or discrimination on a basis not demonstrably related to the faculty member's professional performance, including but not limited to race, sex, religion, national origin, age, disability, marital status, or sexual orientation.

And

NOW THEREFORE BE IT RESOLVED THAT, the faculty of the University of Guam formally affirms the following Principles of Academic Freedom that are articulated in the AAUP Statement (1940) of Principles on Academic Freedom and presented herein;

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 matter which has no relation to their subject.⁴ 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.⁶

BE IT FURTHER RESOLVED, that both 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.

Reference:

American Association of University Professors (n.d.) Reports and Publications
<https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure#B3>

Signature: 
Troy McVey (May 3, 2021 23:16 GMT+10)

Email: tmcvey@triton.uog.edu