

North Dakota State University

Policy Manual

SECTION 325 ACADEMIC FREEDOM

SOURCE: SBHE Policy Manual, Section 401.1

1. *General principles:* The primary responsibility of the academic community is to provide for the enrichment of intellectual experience. Essential to the realization of this ideal is a free and open academic community, which takes no ideological or policy position itself. However, the responsible academic community welcomes those who do take such positions and guards, with vigilance, their right to do so. Thus, its meaningful pursuit of truth requires the academic community to be tolerant of disparate thinking and hospitable towards those with whom one disagrees. It must further welcome the conflict of ideas likely to ensue. Academic freedom protects the expression of diverse points of view by faculty, students and guests of the University, free from interference by administrators, SBHE members or other government officials, in accordance with NDSU Policies.
2. *Faculty Roles:*
 - a. *Research and creative activities:* Members of the faculty have full freedom to pursue their research and/or creative activities and to publish their results, free from ridicule, recrimination, or reprisal by colleagues, administrators, SBHE members or other government officials. They are free to involve interested students and other professionals in their University research and to pursue extramural funding to support it.
 - b. *Instruction:* Faculty are entitled to freedom in teaching their assigned courses. That freedom includes, but is not limited to, design of pedagogical approach, selection and delivery of course content and reference materials beyond what is considered baseline in their degree program(s). Freedom further extends to conducting of class meetings and demonstrations, creating assignments and examinations to assess student performance, and assigning grades. As a result, no faculty member may face adverse employment action for classroom speech unless the speech is not reasonably germane to the subject matter of the class as broadly construed and comprises a substantial portion of classroom instruction. As a general rule, faculty shall not face discipline or adverse employment action based on classroom speech unless such speech violates other institutional policies or procedures. These protections also extend to the speech of faculty in instruction-related activities, such as office hours, mentoring, advising, and other similar situations.
 - c. *Service to the Community:* Members of the faculty are as entitled as any other member of the community in which they live to establish membership in voluntary groups, to seek or hold public office, to interact with their elected officials, to express their opinions as individuals on public questions and to take action in accordance with their views. Cognizant of their responsibilities to their profession and to their institution, faculty accept certain obligations; they should attempt to be evidence-based, to exercise sound judgment and to respect the right of others to express alternate perspectives. They must make clear that their actions, statements and memberships do not necessarily represent the views of either NDSU, or the ND University System. See SBHE Policy 308.3 and NDSU Policy 160 for further guidance on employee rights and responsibilities with respect to engagement in political activities.

3. *Students:* Academic freedom affords students the right to be taught by instructors who are unconstrained by institutional and governmental political forces and to have access to all views and information pertinent to their subjects of study. They have the right to the widest possible latitude in selecting their plan of study and their instructors. Moreover, they have a right to disagreement with their instructors and classmates, and to question them without fear of ridicule, recrimination or reprisal. However, they should attempt to be evidence-based, to exercise sound judgment and to respect the right of others to express alternate perspectives. Academic freedom does not afford students the right of protection from exposure to ideas or points of view divergent from their own, even if they find them repugnant or offensive. Students are entitled to seek the publication of their views, to seek membership in groups, to seek or hold public office, and to take lawful action in accordance with their views. They are responsible to make clear that their actions, memberships and statements represent neither the views of NDSU, nor the ND University System.
4. *Staff:* If a staff member of NDSU engages in teaching, including guest lecturing or being the instructor of record for a course, enrolls in a class as a student, or conducts research as a faculty member or student, then the staff member will enjoy the protections set forth in this policy but only with regard to their teaching, student and/or research activities. Furthermore, librarians and other staff whose role involves the dissemination of academic information resources to university faculty, staff and students, are free to select and make available any materials supporting the teaching, research, and general learning functions of the academic community without fear of adverse employment action.
5. *Guest speakers, movies, theatrical presentations, exhibits and other programs:* Adherence to NDSU policies, North Dakota Century Code and tenets of academic freedom preclude colleges and universities from denying persons or organizations, even those with whom its students, faculty, staff, administrators or SBHE members may disagree, the right to freedom of expression. Particularly pertinent to this issue is the above assertion that a free and open academic community takes no ideological or policy position itself. Accordingly, the university must not enact explicit policy or act upon any implicit policy that extends the right of freedom of expression to some persons while denying it to others, as this would place the institution in the position of aligning itself ideologically with the past record and views of those who are permitted to present or perform. Therefore, guest speakers, performers, or programs representing a diverse range of views may be presented under the sponsorship of any duly recognized NDSU student, faculty, staff, or administrative organization or any individual officer of instruction without fear of censorship. The speaker must, to the most reasonable extent possible, be extended the courtesy of an uninterrupted presentation. Except for ceremonial occasions, such as graduation addresses and facility dedications, questions must be permitted from the floor after the presentation. Speakers must accept, as condition of their appearance, the right of their audience to question or challenge statements made in their address. They must further accept their responsibility to promptly address those questions and statements. The invitation or scheduling of such an event must represent the desire of the institutional sponsor and not the will of external individuals or organizations. The sponsor must establish full responsibility for the program and should help to make clear that the views expressed in an address or performance do not necessarily represent those of NDSU or the ND University System.

HISTORY:

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Amended	April 1992

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