DATE:       May 29, 2014
TO:         Senate President Robert Kyr
FROM:       President Michael Gottfredson
SUBJECT:    Senate Policy Proposal US13/14-29, Academic Freedom Policy

The University of Oregon has a long and exceptional history of strong protection of academic freedom. I am proud of this tradition, and consider it central to our mission. And I take seriously our responsibility to guard it fiercely, as it underlies everything we do and stand for as a university.

We currently have in place a set of policies, rules, and agreements that provide robust protection for academic freedom and freedom of speech; they are among the strongest in the country, and have worked very well to protect academic freedom at the University of Oregon.

These freedoms are currently protected by policies that include:

- OAR 580-022-0005, the Oregon Administrative Rule that covers Academic Freedom for all of Oregon's universities, which states in part: “All teachers in Department Institutions are entitled to freedom in the classroom in discussing subjects...[T]he Board neither attempts to control, sway nor limit the personal opinion or expression of that opinion by any person on the faculty or otherwise on the Department’s payroll.”

- Article 5 of the UO United Academics Collective Bargaining Agreement, which covers all represented UO faculty:
  - From the preamble to Article 5: Academic freedom and freedom of speech are necessary conditions to teaching and research. This policy establishes a robust view of academic freedom and freedom of speech in order to ensure that faculty have the freedom to conduct research, to teach, to engage in internal criticism, and to participate in public debate.
  - Article 5, Section 1: The University protects academic freedom and bargaining unit faculty shall enjoy its benefits and responsibilities:
    (a) The freedom to conduct research and creative work and to publish or otherwise disseminate the results of that work. ...
(b) The freedom to teach, both in and outside of the classroom.

- UO Policy 01.00.16, the UO’s policy on Freedom of Inquiry and Free Speech, which states in part: “The University encourages and supports open, vigorous, and challenging debate across the full spectrum of human issues as they present themselves to this community.”
- UO Policy 01.00.10, the UO’s Community Standards Affirmation

Together, these statements provide a comprehensive set of protections for both academic freedom, which is so critical to the work of all who teach and conduct research on our campus, and freedom of speech, the principle closest to the heart of our democratic ideals. They are well aligned with the principles and values so well articulated by the American Association of University Professors (AAUP) in its 1940 Statement of Principles on Academic Freedom and Tenure.

As someone who has devoted my entire career to the advancement of quality public higher education and research, these freedoms are dear to me. If our policies relevant to them are to be modified, it must be done carefully and deliberately. Any modifications must strengthen our existing protections.

The University Senate has sought to develop a new academic freedom policy since well before I became president. A year ago, I began working with the Senate to draft a policy that would further strengthen protections of free speech and academic freedom at the UO. My view has been, and remains, that our policies could be strengthened by adding language explicitly recognizing that traditional academic freedom principles extend to speech concerning university policies, as recently clarified in policies adopted by other AAU universities. This clarification is timely and important, and helps strengthen our existing policies, which is our goal. Our new policy ensures that academic freedom at the UO will not be narrowed by the U.S. Supreme Court’s decision in Garcetti v. Ceballos (2006).

I have studied our existing policies, and have reviewed the proposed modifications within this context. The Senate proposal provides additional clarification and protection, and I am pleased to sign it.