



POLICY STATEMENT 15 ACADEMIC FREEDOM, FREE SPEECH, AND TENURE

POLICY DIGEST

Monitoring Unit: Office of Academic Affairs
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I. PURPOSE

The purpose of this policy statement is to assert Louisiana State University's commitment to the principles of academic freedom, free speech, and tenure and to provide information on the privileges and responsibilities of all LSU stakeholders (administration, faculty, staff, students, public) on these matters. This policy complements [Permanent Memorandum 79](#), which is the university policy on Freedom of Speech and Expression.

II. DEFINITIONS

Bylaws & Regulations of the LSU Board of Supervisors: The most recent version of the Bylaws & Regulations adopted by the Board of Supervisors of Louisiana State University and Agricultural & Mechanical College.

College: College, school, or otherwise-named unit that reports directly to the Provost.

Department: Academic institute, school, center, college, or otherwise-named unit to which faculty members are assigned to perform their duties. If the unit reports directly to the Provost, then policy references to administrative levels situated between the unit and the Provost are inapplicable. Synonymous with "unit" for the purpose of this policy.

Executive Vice President & Provost: The chief academic officer of the University, commonly referred to as *Provost*. For the purpose of this policy statement, the position referred to as "Provost."

Faculty (Faculty members): The Bylaws & Regulations of the LSU Board of Supervisors, Sec. 1-2.2.a., state "full-time members of the academic staff having the rank of instructor or higher (or equivalent ranks) shall constitute the faculty of the campus on which they are appointed." PS 36T applies only to tenure-track and tenured faculty. PS 36NT applies to non-tenured, non-tenure-track faculty.

Tenure: As defined in the Bylaws & Regulations of the LSU Board of Supervisors, tenure is the status of a faculty member who is appointed "indefinitely," or for "indeterminate terms." The Bylaws & Regulations further state that tenure is not a guarantee of lifetime employment but does ensure that the employee will not be dismissed without adequate justification nor without due process.

Tenure-track: A faculty member who is untenured but who has been appointed to a position for which tenure can be considered and granted.

III. GENERAL POLICY

LSU is committed to the principles of academic freedom, free speech, and tenure. These principles acknowledge the rights of university stakeholders to explore fully within the fields of knowledge encompassed by LSU and to exercise the rights as citizens within the laws and the conduct that is expected of educated individuals. The common good depends upon the free search for knowledge and its free exposition. Academic freedom protects freedom of speech, thought, and expression within the university setting to promote learning and knowledge. Academic freedom is ensured through tenure, which prevents termination or punishment of faculty for any reason that could plausibly stifle academic speech and inquiry but does provide for termination or discipline of faculty members for justifiable causes.

Academic freedom and free speech are often confused. Academic freedom involves doing the job of facilitating learning and gaining knowledge relevant to the subject being taught or researched. Academic freedom protects learning and knowledge, even if their essence is unpopular, while free speech may be relevant or irrelevant to a specific topic. Academic freedom is a cornerstone in the pursuit of answers to often perplexing, sometimes controversial, questions asked, discussed, studied, and researched in an educational setting. It applies to teaching, research, outreach and university governance. The academic freedom of faculty members in addressing issues of institutional governance is a prerequisite for the practice of governance without fear of retribution. Knowledge, its creation and critical analysis and its transmission are important tenets of culture and civilization and universities are central to those activities. 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 learn. Academic freedom carries with it duties correlative with rights. Every faculty member regardless of rank shall be held responsible for competent and effective performance of appropriate duties and to adopt pedagogy appropriate to the teaching goals. Free speech is related to academic freedom in the sense that academic freedom allows for debate and discussion of competing or unpopular ideas within a discipline. However, individuals should be aware that they may be accountable for the context and words that are used.

A teacher has the right as a member of the LSU academic staff to explore fully within the field of assignment and to provide exposition of the subject in the classroom and elsewhere that the instructor believes to represent the current state of knowledge. However, the privileges of academic freedom do not allow insisting that students or others adopt a point of view as authoritative in controversial issues. Those in the university community enjoy the rights of all citizens to exercise the speaking, writing and action outside the University, but these activities do not decrease the responsibility of the individual to LSU, Louisiana, or the U.S. When a member of the faculty, staff, or administration, is not officially designated to represent the university, the individual must clearly indicate that he or she is speaking as an individual citizen. LSU community members are expected to conduct themselves in a civil manner appropriate to their position, with respect for the rights, views, and opinions of others.

Tenure is a means to provide freedom of teaching, research, and extramural activities that makes the profession attractive to those individuals with the ability to pursue knowledge and its dissemination. Tenure is indispensable to the success of an institution in fulfilling its obligations to its students and to society. Tenure nurtures and sustains the campus spirit that values inquiry into truth and understanding, free from pressures outside the academy or due to differing styles and ideological views. Tenure protects academic freedom by ensuring that faculty members can be removed or suspended from the academic staff for causes such as gross professional incompetence, continued unsatisfactory performance, violation of laws, or violation of LSU policies that disrupt activities of the University, after due process according to LSU personnel policies. Tenure is also a property right, designed to protect those academic freedoms concomitant with the duties of the individual faculty members.

IV. ACADEMIC FREEDOM

- A. Teachers and investigators are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties. In all meetings and hearings when the actions of a faculty member are being questioned, the faculty member has the right to be accompanied by a faculty member of his or her choosing and to be counseled by that faculty member.
- B. Teachers and investigators are entitled to freedom in the classroom in discussing their subject but should not introduce information or topics which have no relation to the subject being instructed. Instructors should be careful to use appropriate examples, metaphors, and analogies to achieve the desired student learning. The Faculty Senate Admissions, Standards and Honors Committee or the Faculty Adjudication Committee will evaluate the circumstances and context and provide a recommendation to the Provost and Faculty Senate President when there are complaints or disputes on the information or its method of presentation in a class. Faculty members will be afforded due process that includes ability to present supporting materials in disagreements on appropriate academic freedom, free speech, or freedom of expression.
- C. The academic freedom of faculty members includes the freedom to express their views on matters within their institution and its policies. College and university faculty are members of the public, members of a learned profession, and officers of an educational institution. The faculty establish curricula, fix standards of instruction, determine degree requirements, and generally determine educational policy, ultimately subject to the authority of the Board of Supervisors. Both the protection of academic freedom and the requirements of academic responsibility apply not only to the full-time probationary and the tenured faculty members, but also apply to all who have teaching responsibilities.
- D. The First Amendment to the U.S. Constitution protects a person's right to free speech, expression, press, assembly, and petition to the government free from retaliation or restraint of expression. However, public universities may impose restrictions on time, place, and manner restrictions that are reasonable and content-neutral to prevent significant disruption of teaching and scholarly pursuits on campuses. As members of the LSU community, professors have the

rights and obligations of other citizens, but as scholars and educational officers, faculty members should remember that the public may judge their profession and their institution by their utterances and their actions, including those on social media. A key aspect is the pursuit of truth in the context of established standards and methods specific to the subject discipline. The urgency of these obligations must be measured in relation to the responsibilities to their subject, to their students, to their profession, and to their institution. In order to be fully engaged members of a university community and of society in general, faculty may express personal opinions; and these opinions need not always be in complete agreement with the positions of the university and its related institutions. In all instances of broadcasting a personal opinion, it is incumbent on the faculty member to clearly indicate that the opinion is personal and that they are not speaking as an institutional spokesperson. However, this does not decrease the responsibility and accountability that the faculty member bears to the governing board, the system, the state, and the nation. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have an obligation to promote conditions of free inquiry and to further public understanding of academic freedom and free speech. Views expressed by individuals in their university position should be defensible by discipline, scientific, and ethical standards.

V. ACADEMIC TENURE

After the expiration of a successful probationary period, tenure track faculty members should be awarded continuous tenure, and their service should be terminated only for just cause, except under extraordinary circumstances because of financial exigencies as determined under clearly defined University guidelines. The principle of tenure shall not protect an individual from removal from a position after a full and careful investigation, according to due process, when it is revealed that the faculty member has not met and does not give promise of meeting the responsibilities of the position. Standard academic practices regarding tenure are:

- A. The precise terms and conditions of every appointment shall be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
- B. The terms and conditions of an offer to an individual should be consistent with the job announcement for the position.
- C. Once tenured, the terms and conditions of employment cannot be changed or altered without mutual consent of both the individual faculty member and the university or due process when there is a disagreement on job duties and responsibilities.
- D. The requirements and protections for appointment, evaluation, promotion, and non-reappointment of faculty members are in [PS 36T](#) and [PS 36NT](#). During any probationary period, a faculty member shall have the same academic freedom as all other members of the faculty.

VI. CONCLUSION

Faculty are expected to be knowledgeable about laws and regulations that increasingly are affecting universities and to operate within the guidelines of university policy and regulations. This statement of policy on academic freedom, free speech, and tenure do not supersede those regulations and guidelines, but rather supplement them in order to provide an environment conducive to inquiry and learning in a respectful and collegial manner.

VII. SOURCE

This statement corresponds to the “1940 Statement of Principles on Academic Freedom and Tenure, with 1970 Interpretive Comments” promulgated by the [American Association of University Professors](#) and the Association of American Colleges (now the Association of American Colleges and Universities).