

**Proposition:** 04-22/23

**Proposal Type:**   Bill   Resolution   Memorial   Joint Proposition   Other  
(If Joint proposition, also select type)

**Title:** Proposed Policy on Academic Freedom

**Date Submitted:** 12/3/22

**Sponsor(s):** Bronstein (A&S), [Beck \(Library\)](#)

**Proposed Committee:**

**Prior Approvals:**

**Proposal:**

Whereas the American Association of University Professors has recently called attention to issues of coordinated targeted harassment of university professors for their social media use<sup>1</sup>;

And whereas while ARP 3.63 and 3.70 specifically note the broad freedoms of speech that protect NMSU faculty, staff, and students, they do not address “extramural utterances,” including social media posts, statements made to the media, or statements at public gatherings:

And whereas the current language of ARP 3.70 suggests limitations on faculty extramural speech;

And whereas ARP 3.70 has resulted in disciplinary action to faculty members due to its breadth and ambiguity:

We propose the following redline language change to ARP 3.70:

The quest for truth often leads the scholar into difficult and untried territory. As a dealer in ideas, the teacher or researcher comes often in conflict with prevailing belief of large segments of society and even with those of colleagues. Yet, because of the practical benefits of scholarly activity, it is profoundly important that this diversity of ideas be not only tolerated, but encouraged.

The right to support unorthodox positions, arrived at through scholarly investigation, free from coercion or reprisals, is fundamental to the continued progress of society. The right to pursue unpopular lines of inquiry and express new and unaccepted ideas falls within the framework of a special set of guarantees called academic freedom. In granting these guarantees, society expresses a willingness to risk the consequences because history confirms that the risk is outweighed by the benefits ~~stemming from such a policy.~~

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<sup>1</sup> “The American Association of University Professors has long held that academic freedom includes the freedom to address the larger community with regard to any matter of social, political, economic, or other interest, without institutional discipline or restraint, save in response to fundamental violations of professional ethics or statements that suggest disciplinary incompetence. Administrative responses to several recent cases of targeted harassment of faculty members over their postings on social media raise concern that the freedom of faculty members to speak as citizens is insufficiently defended at those affected institutions.” See <https://www.aaup.org/sites/default/files/files/Mariah/On-Institutional-Social-Media-Policies.pdf>

Scholars are entitled to full freedom in the conduct of their research and publication of the results, and full freedom in the classroom to discuss those topics in which they are professionally experts as determined by their credentials. - The exercise of this freedom carries with it the burden of corollary responsibilities. Scholars must not knowingly misrepresent facts. They must be careful in their teaching not to introduce controversial matter bearing no relationship to their subjects. -They must exercise appropriate restraint and guard against distortions and inaccuracies.

Outside their academic roles, as private citizens, scholars ~~have no special privileges. When they speak or write as citizens, they~~ should be free from institutional censorship or discipline for lawful extramural utterances made from personal social media accounts, at public gatherings, or to the media. Unless a scholar affirmatively asserts that they are speaking on behalf of New Mexico State University, an extramural utterance is not subject to NMSU constraint.

~~, but their special position in the community imposes special obligations. As persons of learning 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. Institutions of higher education are conducted for the common good and not to further the interest of either the individual scholar or the institution as a whole. The Board of Regents recognizes that it is not possible to define, with any great precision, the limits of academic freedom in the complex world of ideas. The gray areas are practically endless and the final judgment of what is acceptable and reasonable must be left by society to the academic community itself. The scholar's own colleagues and institution must bear the brunt of public criticism, have the most to lose from withdrawal of public trust, and are, therefore, in the best position to balance the issues of academic freedom and responsibility.~~

**Rationale:**