

Academic Freedom Procedures

Eastern Mennonite University is committed to academic freedom as articulated in its academic freedom policy. EMU also recognizes that freedom of any sort comes with attendant risks. The free exercise of academic writing, speech, and performance may have consequences for the university in a variety of arenas. These include, for example: 1) identity and mission; 2) relationships with important constituencies; 3) reputation; 4) finances; and/or 5) health and safety. Importantly, some expressions of potentially controversial ideas and arguments can put at risk the culture of civility and respect that is foundational for the very exercise of academic freedom in a community of learning.

The following procedural guidelines and expectations are intended to guide the exercise of academic freedom within the context of EMU's mission, particularly when there are concerns about potential negative consequences. Adherence to these procedures will maintain a supportive environment for free and vigorous academic engagement and will safeguard the context of civility, humility, respect, and care for the common good that is necessary for EMU to achieve its mission.

Underlying principles:

1. Open communication – Faculty, staff, and students are expected to engage in civil conversation with one another and are encouraged to bring potentially controversial topics to discussions at multiple levels (*e.g.*, one-to-one, mentor-mentee, student group meetings, departmental meetings, faculty meetings) for discernment about attendant risks and appropriate forums for engaging the controversy. Attempts to identify major stakeholders and to include them in the decision-making should be made as early as possible.
2. Engaging controversy – Congruent with the footnotes of the AAUP Academic Freedom statement, the intent of the Academic Freedom policy and procedures is “not to discourage what is controversial” (AAUP Policy Documents & Reports, 2015, footnote #4, pg. 14). The EMU procedures are meant to support the civil, humble, respectful, and careful engagement of controversy, such that EMU's mission is supported and advanced.
3. Risk identification – It is not always possible to identify which expressions of potentially controversial ideas and arguments will impose risks. Faculty, staff, and students are encouraged, however, to bring voice to any identified risks as early as possible and to use open communication strategies to reduce or eliminate risks.

Role definitions and procedures:

1. Role definition of the Board of Trustees – The role of the BOT is to oversee the EMU administrators' application of policies and protection of the university mission. They will not, therefore, be directly involved in operational decisions about attendant risks, threats to, or violations of academic freedom.
2. Role definition of the university president – The president bears ultimate responsibility to protect academic freedom within the university and to articulate it to the university's various publics. The president therefore must be informed about potential significant controversies and has ultimate authority, after appropriate consultation, to make decisions in cases where significant risk to the university is at stake.

3. Role definition of academic officers -- The provost and the academic deans hold the responsibility to develop and implement policies and procedures that support academic freedom.
4. Role definition for department chairpersons or directors – Since a department chairperson or divisional director could potentially find him/herself on either side of a controversial matter with regard to faculty, staff, or student activities, the chairperson or director shall not be put in the position of final decision-making but will participate in open communication and leadership of a decision-making process.
5. Ad hoc Academic Freedom Review committee –
 - a. An ad hoc committee may be called together by the provost at the request of any person involved in identifying risks who has not been able to reach a resolution through application of open communication strategies.
 - b. Members: Provost, the appropriate dean, at least 2 faculty members, at least 1 student, at least 1 staff member (such persons will be identified by the provost in consultation with the appropriate dean and department chair when a case arises).
 - c. Faculty, staff, or students involved in the controversy will be invited to present their perspective to the ad hoc committee.
 - d. The ad hoc committee may solicit input from stakeholders, other faculty, staff, and students in their review of the case.
 - e. The ad hoc committee has the authority to make decisions on the best venue in which to engage the controversy, the method of display or presentation, and the format for interacting with the public. In particularly controversial or public cases, the committee will make a recommendation to the president, who will have the ultimate decision-making authority.
 - f. To protect the time of all involved, decisions will be made according to a timeline established at the first meeting of the ad hoc committee, reserving the right of the committee to adjust the timeline as the case unfolds.
6. Violation/misuse of the right to Academic Freedom – If a faculty or staff person believes their right to academic freedom has been violated, he/she should follow the University Grievance Policy and Procedures to process the violation. If a student believes their right to academic freedom has been violated, he/she should follow the Student Complaint Policy. Misuse or abuse of the right to academic freedom in ways that are damaging to the university will be addressed using regular human resources procedures.

University Resources:

1. Conflict and Grievance Procedure, Faculty Handbook
2. Student Complaint Policy (<http://www.emu.edu/policies/>)
3. University Ombudsman (<https://www.emu.edu/ombudsman/>)
4. University Accord (<https://www.emu.edu/ombudsman/university-accord/>)
5. Counseling Center (<http://www.emu.edu/studentlife/counseling/>)
6. Faculty Senate Academic Subcommittee
7. Faculty Tenure and Promotion process