

Resolution on the Right and Duty of Faculty Members to Speak Freely and the Duty of the University to Protect Faculty Speech

UNC Charlotte's mission includes commitments to "realizing higher education's transformational power by providing an exemplary academic experience for all students." This includes "engaging in inquiry to generate new knowledge, modes of expression, understanding, and solutions to society's most significant challenges; collaborating with local, state, national, and global partners prepares our students to be engaged and effective citizens and to promote the common good through research and service that addresses a broad range of social needs; ensuring the highest academic, professional, and ethical standards and a collegial culture that embraces different perspectives, civil discourse, and free expression, where all University members are treated with respect, fairness, and dignity."

Charlotte's mission is supported by the North Carolina General Assembly through NCGS 116 Article 36 "has affirmed that the primary function of the University of North Carolina and each of its constituent institutions is the discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate. To fulfill this function, each constituent institution must strive to ensure the fullest degree of intellectual freedom and free expression. It is not the proper role of any constituent institution to shield individuals from speech protected by the First Amendment, including, without limitation, ideas and opinions they find unwelcome, disagreeable, or even deeply offensive," and

Policy 1300.8 from the UNC Board of Governors August 2019 states "The University's mission includes the transmission and advancement of knowledge and understanding, the pursuit of which is dependent upon the ability of our faculty and students to remain free to inquire, to study and to evaluate, to gain new maturity and understanding. The University supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors. The University has explicitly stated that faculty and students of the University share the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected. Academic freedom has indeed been acknowledged by the Supreme Court as "of transcendent value to all of us" and "a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom." Through its policies, the University has expressly established that no employment decision or academic decision shall be based on the exercise of these constitutional rights;" and

The University of North Carolina at Charlotte endorses and supports the principles of academic freedom and responsibility of Faculty, as set forth in Section 600 of The Code of the University of North Carolina. "UNC Charlotte supports and encourages full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of its Faculty, to the end that they may responsibly pursue the transmission and advancement of knowledge and understanding free from internal or external restraints that would unreasonably restrict academic

endeavors. The University will protect Faculty Members in the responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth, and will not penalize or discipline members because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.”

“Faculty Members share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected. Faculty are expected to recognize that accuracy, forthrightness and dignity befit their association with the University, and may not represent themselves, without authorization, as spokespersons for the University of North Carolina or any of its constituent institutions.”

The UNC Charlotte Faculty Council now resolves:

Public expression on matters of local, regional, national, and international importance is a core component of the jobs of many members of the faculty and must not be suppressed.

Faculty members should be entitled to indicate their university affiliation in all expression related to their research, teaching, and service, so long as they do not indicate that they speak for the University as an institution.

The University and its leaders must actively and publicly advocate for and defend the free speech rights of faculty members, staff, and students for all speech protected by the First Amendment.

In support of this mission, the rights of the library to collect and disseminate any legally available information must also be upheld.

The Faculty endorses the [Report of the Committee on Freedom of Expression produced by the University of Chicago](#) (*link added by the Faculty Executive Committee*) to promote and protect free speech on campus.

Submitted by UNC Charlotte's Free Expression Task Force Spring 2023

*Note (requested by the Faculty Executive Committee)

The following [institutions](#) or faculty bodies have adopted or endorsed the [Chicago Statement](#) or a substantially similar statement. The Chicago Statement is a free speech policy statement. The UNC System adopted a [Free Speech Policy](#) in 2017 informed by the Chicago Statement.

Revised 3.21.2023 by Susan B. Harden on behalf of the Faculty Council Executive Committee.