

SIDE LETTER TO ARTICLE __

October 10, 2023

Tyler Bickford, Bargaining Committee Chair
Brad Manzollilo, Esq.
Union of Pitt Faculty/USW

Re: Academic Freedom

Dear Tyler and Brad,

The parties engaged in substantial discussion regarding the principles of academic freedom in the course of negotiations for an initial collective bargaining agreement. The University supports academic freedom and endorses the three principles of academic freedom in the AAUP 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretative Comments, and the limits on those principles. The following provides further explanation of the principles set forth in Article __ [Academic Freedom].

Research

- Faculty members are entitled to full freedom in research and publication of results. In addition, academic freedom is a value that is to be protected in other ways, for example, through incorporation into other policies; see, e.g., AO 45, Gift Acceptance and Naming Policy, Appendix A.
- Faculty members do not lose their right to academic freedom, with respect to research, if they are not adequately performing their other duties. However, academic freedom does not excuse faculty members from adequately performing their other duties, complying with University policy and complying with any applicable conditions related to funding. The AAUP makes clear that academic freedom in research is subject to certain limitations, such as professional competence and ethics and "does not mean that individual faculty members are free to teach or publish whatever they want without repercussions."

Teaching

- Academic freedom means that faculty members are free to engage in the professionally competent forms of inquiry and teaching that are necessary for the purposes of the University. It does not mean that individual faculty members are free to teach or publish whatever they want without repercussions.
- In the classroom, faculty members are free to discuss their subject; however, as the AAUP has stressed (<https://www.aaup.org/file/freedom-and-responsibility.pdf>), "students are entitled to an atmosphere conducive to learning and to evenhanded treatment in all aspects of the teacher- student relationship." Faculty members may need to consider how best to

create such an atmosphere, which might include refraining from certain actions (e.g., imposing their views on students).

Extramural Speech

- When faculty members speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances.
- Faculty members are free to communicate as private citizens but are cautioned to indicate they are not representing the University. In particular, with respect to electronic speech, the line between speaking as a scholar and researcher and as a private citizen may be hard to discern.
- The University has adopted a best practices document relating to social media, as well as provided reassurances that University policies on academic freedom extend to electronic speech. See (https://www.univsenate.pitt.edu/sites/default/files/BestPractices_OpeningStatement_Final_0.pdf)

In addition to the above clarifying explanations of the University's policies on academic freedom, and in order to help faculty members understand the limits and responsibilities associated with academic freedom, the University has agreed to establish a website with best practices on academic freedom, consistent with existing University policies.

Very truly yours,

Jazmyn J. Barrow, Esq.