

#7 REVISED Agenda Item

AS-3003-10/FA (Rev)
January 20-21, 2011
Second Reading

Amending the Constitution of the Academic Senate, The California State University, to Include a Statement Upholding Academic Freedom

1. RESOLVED: That the Academic Senate of the California State University (ASCSU)

endorse the following amendment to Article I, Section 1. (a) of The Constitution of the Academic Senate, The California State University (proposed amendment underlined):

It shall be the purpose of the Academic Senate of the California State University to promote academic excellence in The California State University; to uphold and preserve the principles of academic freedom and protect freedom of inquiry, research, expression and teaching both inside and beyond the classroom, as set forth in the American Association of University Professors 1940 *Statement of Principles on Academic Freedom and Tenure* and its subsequent interpretations; to serve as the official voice...etc.;

and be it further

2. RESOLVED: That the ASCSU, in accordance with Article VII of the Constitution of the Academic Senate, The California State University, forward this amendment to individual campuses for a vote and initiate a systemwide referendum for its ratification.

RATIONALE: The Preamble, The Constitution of the Academic Senate, The California State University, specifies that the Constitution is adopted by the faculty of the CSU “in

order to exercise its rights and fulfill its responsibilities in the shared governance of the University.” In setting forth these rights and responsibilities in subsequent Articles, at no point does the Constitution reference the important role of the ASCSU in safeguarding and preserving the principles of academic freedom for the faculty it serves throughout the CSU system. The purpose of this amendment is to remedy this serious omission in the Constitution.

The American Association of University Professors’ (AAUP) 1940 *Statement of Principles on Academic Freedom and Tenure* and its subsequent interpretations provide the most widely accepted and understood statement of academic freedom for higher education. In 1966 the AAUP, the American Council on Education, and the Association of Governing Boards of Colleges and Universities jointly formulated a Statement on Government of Colleges and Universities which was formally recognized by the executive bodies of each group. That statement incorporates by reference the 1940 *Statement of Principles on Academic Freedom and Tenure*. In addition Section 3561(c) of the Higher Education Employer-Employee Relations Act (HEERA) encourages the free exchange of ideas among faculty, students and staff, and goes on to state: “All parties subject to this chapter shall respect and endeavor to preserve academic freedom in the...California State University.” Given the recognized importance of preserving and safeguarding academic freedom within higher education, this principle must be articulated within the Constitution of the ASCSU and regularly monitored as circumstances generate new interpretations.