

UNIVERSITY OF ARKANSAS AT LITTLE ROCK

TRANSMITTAL OF FACULTY SENATE LEGISLATION

Faculty Senate legislation is to be submitted to the Chancellor to approve or disapprove within ten calendar days after the Assembly review period. The Chancellor may approve or disapprove any Faculty Senate legislation within a period from the eleventh through the twenty-fifth calendar day after the Faculty Senate action has been presented to the Assembly unless the Assembly has been petitioned to amend or rescind the Faculty Senate legislation. In the latter case, the Chancellor's approval or disapproval shall be made no later than fifteen calendar days after the Assembly has voted on and failed to approve a motion to amend or rescind a legislative action of the Faculty Senate. The chancellor shall provide written reasons for disapproval to the Faculty Senate.

To the Chancellor of the University of Arkansas at Little Rock:

The following legislation passed the UALR Faculty Senate on September 8, 2023.

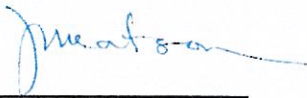
Motion FS_2023-13. Tenure Committee (Legislation. Majority Vote at one Meeting, no second required.) Revise U.P. Policy 403.25, Academic Freedom policy.

Be it resolved to amend the Academic Freedom policy (403.25) as shown in [Attachment A](#).
[Underline denotes additions; strikethrough denotes deletions.]

Disseminated to University Assembly:

Date: September 13, 2023

Faculty Senate President's Signature: _____



Date: September 10, 2023

Joanne Liebman Matson

Received in Chancellor's Office:

Date: _____

Chancellor's Action:

APPROVED

Chancellor's Signature _____

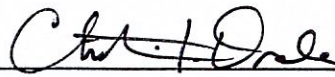
Date: _____

Christina Drale

DISAPPROVED

(please attach reasons)

Chancellor's Signature _____



Date: 11/20/2023

Christina Drale

Attachment A

Academic Freedom policy (403.25)

STATEMENT ARTICULATING THE UNIVERSITY'S OVERARCHING COMMITMENT TO FREE, ROBUST, AND UNINHIBITED DEBATE AND DELIBERATION AMONG ALL MEMBERS OF THE UNIVERSITY'S COMMUNITY

Our students and faculty have the right to discuss any problem that presents itself. This right is grounded in long-standing principles of academic freedom and is reflected in university accreditation standards. Academic freedom rights are guaranteed herein to each faculty member such that no faculty member shall be dismissed, otherwise disciplined, or denied reappointment for the mere expression of opinions related to the faculty member's scholarship, teaching, or service. The "cure" for ideas we oppose lies through open discussion rather than through inhibition. Free inquiry is indispensable to the good life, universities exist for the sake of such inquiry, and without it they cease to be universities. This is the essence of critical thinking that provides society and individuals with progress.

Education is not intended to make people comfortable; it is meant to make them think. Universities are expected to provide the conditions within which hard thought, and therefore strong disagreement, independent judgment, and the questioning of stubborn assumptions, can flourish in an environment of the greatest freedom.

The ideas of different members of the University community will often and quite naturally conflict. But it is inappropriate for the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University community greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can *never* be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. But the University may legally restrict the substance of expression only when it explicitly violates the law, i.e., when speech falsely defames a specific individual, constitutes a genuine threat or actual harassment, or invades legally recognized privacy interests. In addition, reasonable time, place, and manner regulations are recognized as legal. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the University's commitment to a completely free and open discussion of ideas.

The University's fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community or society at large to be offensive, unwise, immoral, or wrong-headed. The individual members of the University community—not the University as an institution, its administration, nor any external constituency—are entitled to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University's educational mission.

As a corollary to the University's commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only

to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.

Freedom of Speech and Thought:

Faculty shall not be restricted from communicating with members of the public, whether part of the UALR community or the public at large, on any matter except for matters in any way prohibited by state ~~laws and rules~~ and federal laws and regulations, other than delineated below:

- (1) The school may impose reasonable time, place, and manner restrictions while the employee is working;
and
- (2) Nothing in this policy shall be construed to interfere with state ~~laws and rules~~ and federal laws and regulations for the prohibition of discrimination.

History: adopted April 26, 2018; rev. November 22, 2019; [rev. September 8, 2023;]

Chancellor's Reasons for Disapproval of FS_2023-13

November 20, 2023

Since Policy 403.25 concerns a matter addressed in Board of Trustees Policy 405.1 (section IV.A.14), I submitted this legislative transmittal to the UA System General Counsel for review. The General Counsel determined that the proposed language for the revision of UALR policy 403.25 was not in compliance with Board policy. Therefore, I am disapproving this legislation and returning it for further revision.

Associate General Counsel, Charles Lyford, has offered alternative revision language (attached) that is compliant with Board policy. The Senate may adopt this language or other language that is compliant with Board policy and resubmit the legislation.

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