

# HOUSE . . . . . No. 1190

By Mr. Perry of Sandwich, petition of Jeffrey Davis Perry and others that the Board of Higher Education be authorized to establish an academic bill of rights for public higher educational institutions. Higher Education.

## The Commonwealth of Massachusetts

### PETITION OF:

Jeffrey Davis Perry  
Donald F. Humason, Jr.

George N. Peterson, Jr.  
John A. Lepper

In the Year Two Thousand and Seven.

### RESOLVE PROVIDING FOR THE ACADEMIC BILL OF RIGHTS.

1 *Resolved*, The General Court hereby finds the following:—

2 (1) The principles enumerated in this section fully apply only to  
3 public universities that present themselves as bound by the canons  
4 of academic freedom contained within. Nothing in this section  
5 shall be construed as interfering with the right of a private institu-  
6 tion to restrict academic freedom on the basis of creed or belief;  
7 and

8 (2) the central purposes of a university are the pursuit of truth,  
9 the discovery of new knowledge through scholarship and research,  
10 the study and reasoned criticism of intellectual and cultural tradi-  
11 tions, the teaching and general development of students to help  
12 them become creative individuals and productive citizens of a plu-  
13 ralist democracy, and the transmission of knowledge and  
14 learning to a society at large; and

15 (3) free inquiry and free speech within the academic commu-  
16 nity are indispensable to the achievement of these goals, the free-  
17 doms to teach and to learn depend upon the creation of  
18 appropriate conditions and opportunities on the campus as a  
19 whole as well as in the classrooms and lecture halls, and these  
20 purposes reflect the values, pluralism, diversity, opportunity,

21 critical intelligence, openness, and fairness, that are the corner-  
22 stones of American society; and

23 (4) academic freedom consists in protecting the intellectual  
24 independence of professors, researchers, and students in the pur-  
25 suit of knowledge and the expression of ideas without interference  
26 of legislators or authorities within the institution itself, meaning  
27 that no political or ideological orthodoxy should be imposed on  
28 professors and researchers through the hiring, tenure, or termina-  
29 tion process, nor through any other administrative means by the  
30 academic institution, nor should the legislature impose any such  
31 orthodoxy through the unreasonable control of the university  
32 budget; and

33 (5) the education of the next generation of leaders of American  
34 should contain rigorous and balanced exposure to significant theo-  
35 ries and thoughtful viewpoints, and students should be given the  
36 knowledge and background that empowers them to think for them-  
37 selves.

38 (6) The board of higher education shall, in cooperation with  
39 institutions of public higher education, establish an academic bill  
40 of rights. Such bill of rights shall secure the intellectual indepen-  
41 dence of faculty and students and protect the principles of acad-  
42 emic freedom by requiring that the following principles and  
43 procedures be observed at all public colleges and universities  
44 within the commonwealth:—

45 a). All faculty members shall be hired, fired, promoted, or  
46 granted tenure on the basis of their competence and appropriate  
47 knowledge in the field of their expertise. No faculty member shall  
48 be hired, fired, or denied promotion or tenure solely on the basis  
49 of his or her political or ideological beliefs;

50 b). No faculty member shall be excluded from a tenure search  
51 or hiring committee on the basis of his or her political or ideolog-  
52 ical beliefs;

53 c). Students shall not be graded on the basis of their political or  
54 ideological beliefs. Each college and university should have well  
55 known and publicly accessible policies and procedures available  
56 to students who believe they have been penalized for their social,  
57 political, or ideological beliefs;

58 d). While teachers are and should be free to pursue their own  
59 findings and perspectives in presenting their viewpoints, they

60 should consider and make their students aware of other view-  
61 points;

62 e). Faculty members should not use their courses for the pur-  
63 pose of political or ideological indoctrination of students;

64 f). An environment conducive to the civil exchange of ideas  
65 being an essential component of a free university, the obstruction  
66 of invited campus speakers, destruction of campus literature, or  
67 other efforts to obstruct this exchange shall not be tolerated; and

68 g). Knowledge advances when individual scholars are left free  
69 to reach their own conclusions about which methods, facts, and  
70 theories have been validated by research. Academic institutions  
71 formed to advance knowledge within an area of research, maintain  
72 the integrity of the research process, and organize the professional  
73 lives of related researchers serve as indispensable venues within  
74 which scholars circulate research findings and debate their inter-  
75 pretation.