

UFS Resolution Regarding Faculty Speech (DRAFT)

The FAU–UFF Collective Bargaining Agreement for 2012–2015 contains the following Article:

5.3 Academic Responsibility.

Freedom entails responsibilities. The Board of Trustees, the University, and the UFF accept responsibilities to: (1) scholarship, (2) students and colleagues, (3) the University, and (4) the larger community which the University serves. These responsibilities include ... (d) recognizing that faculty, as members of the community, have rights and duties. When speaking on any matter of public interest, a faculty member shall make clear when comments represent personal opinions and when they represent official University positions.

The free expression of opinion is central not only to the academic environment of the University, but also to civil society as a whole. The policy created by the article above is likely to cause confusion and worry among faculty as they engage with our local, regional, national, and global communities, as intended under the University's Strategic Plan.

First, it may not clear in all cases whether a matter meets a standard of sufficient public interest to require a disclaimer regarding official University positions.

Second, such disclaimers are not common in op-ed and other articles directed at a popular audience from faculty members at universities nationwide. Including them in all such articles by FAU faculty would create an impression, both among the public and within the broader academic community, at odds with the vital academic community we cultivate at the University.

Third, even if a faculty member makes such a disclaimer, it may not appear alongside the opinions expressed if and when they appear in the Press.

Fourth, the University does not have the resources to police all expressions of opinion by University faculty, so the deciding factor in whether this policy will be enforced in any specific instance is likely to be the content of the ideas expressed. This will necessarily have a chilling effect on the free expression of opinion within the University, and on the University's effort to engage more fully with its surrounding communities.

In light of these concerns, the University Faculty Senate calls on both the University and the United Faculty of Florida to revisit Article 5.3(d) in the upcoming round of collective bargaining. Specifically, since it is difficult to imagine a policy regarding the free expression of faculty opinion that is both practicable and equitable to the full range of faculty opinion, the UFS recommends striking Article 5.3(d) entirely from the next CBA.