

9 JULY 2013

Personnel



ACADEMIC FREEDOM

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OPR: HQ AU/CFA

Certified by: HQ AU/CF (Dr. Bruce T. Murphy)

Supersedes AUI 36-2308, 22 August 2008

Pages: 8

This instruction implements AFPD 36-26, *Total Force Development*. It establishes Air University policy on academic freedom. It applies to all Air University schools and colleges, all activities in the Air University educational forum, Air University-sponsored events as well as publications. For the Community College of the Air Force (CCAF), the *CCAF Campus Relations Policies, Procedures and Guidelines* addresses implementation of academic freedom for affiliated CCAF schools. This policy is also addressed in the *Air University Faculty Handbook*. Portions of this instruction are subject to Article 92 of the Uniform Code of Military Justice (UCMJ) as described in paragraphs 2.5.1 and 2.6.1.2. Violation of paragraphs 2.5 or 2.6.1.2 by military personnel is punishable under Article 92, UCMJ. Violations by civilian employees may result in administrative disciplinary action without regard to otherwise applicable criminal or civil sanctions for violations of related laws. Refer recommended changes and/or corrections to this publication to the Office of Primary Responsibility (OPR) using the AF Form 847, *Recommendation for Change of Publication*, through your chain of command. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with AFMAN 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule (RDS).

SUMMARY OF CHANGES

This revision modifies duty titles in paragraph 3, and incorporates minor wording adjustments in paragraph 2.6 to reflect exercise of appropriate reason and judgment in tempering complaints dealing with issues of academic freedom.

1. Academic Freedom. Academic Freedom is defined according to an amended form of the American Association of University Professors (AAUP) definition of academic freedom, as follows (see Figure 1.1). All laws and standing regulations concerning the conduct of government employees (both military and civilian) apply to Air University faculty members as employees of the U.S. government.

Figure 1.1. Academic Freedom

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but should be careful not to introduce into their teaching controversial matter that has no relation to their subject.

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes certain obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times endeavor to be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

NOTE: Although this instruction does not address the concept of academic integrity, see its definition in Attachment 1 to differentiate it from academic freedom.

2. Policy:

2.1. Air University supports academic freedom as defined above.

2.2. Air University faculty, students, and staff are members of a learned profession, and members of their respective educational organizations. The free exchange of opinions and ideas is essential to the educational process and, to the greatest extent possible, faculty, students, and staff are encouraged to speak and write freely. Even in this academic setting, however, the importance of the University's military mission requires limits on some types of expression. For example, in accordance with the Uniform Code of Military Justice (UCMJ), commissioned officers, officer trainees, and cadets may not use contemptuous words toward the President, Vice President, Congress, the Secretary of Defense, the Secretary of the Air Force, and others. In addition, military members may not make disrespectful remarks about a superior commissioned officer, nor may an enlisted member make a disrespectful statement toward a superior noncommissioned officer. In addition to these specific restrictions on military members, faculty, students, and staff should remember that the public might judge the armed forces or Air University by their spoken or written statements. In any public forum,

Air University faculty, students and staff members should make every effort to indicate clearly that the opinions they express are personal to the member, and do not represent the official views of their organization, Air University, the United States Air Force, the US government, or any other government or academic community.

2.3. Guest lecturers, faculty, and students are encouraged to state their opinions and support or offer critical opinion of any objective, policy, strategy, or tactic while pursuing knowledge, understanding, and improvement of the military profession. When instructing, writing, or speaking at any event sponsored by Air University, guest lecturers, faculty, and students must adhere to the Air University policy against making offensive remarks and irresponsible statements described in paragraph 2.6 of this instruction. The intent of these policies is to focus attention on the need for civility and accuracy in the comments individuals make about and toward others in an academic environment. In the articulation and defense of ideas and positions on issues, individuals should endeavor to be accurate, should show respect for the opinions of others, and should make every effort to indicate they do not speak for the university.

2.4. Statements, disagreements, and other comments made by individuals or groups in the educational forum are safeguarded through the practice of non-attribution. It is acceptable to say “a previous speaker” made a particular statement, but the speaker’s identity may not be divulged without permission. Speakers should be aware that non-attribution may not prevent the release of materials, remarks, recordings, etc. that are subject to release when requested under the freedom of information act

2.4.1. Communications among students and faculty in a distributed learning environment whether in real time (synchronous) or delayed (asynchronous), are privileged (protected), and non-attribution applies. Care should be taken to ensure that e-mail or text conversations from Internet chat or bulletin board discussions are not forwarded outside the educational forum without the permission of the originator.

2.4.1.1. Distributed learning course providers should take appropriate actions to ensure their presentations and class interactions are protected so transmissions and communications do not occur in the open, without prior written permission from the Air University Academic Office (HQ AU/CFA).

2.5. All guest speakers, students, and permanent-party personnel are prohibited from divulging the identity of any particular speaker, whether a guest speaker, faculty member, or student, for the purpose of attributing to that speaker any specific remarks or statements, including but not limited to offensive remarks and irresponsible statements, made in the Air University educational forum or at Air University-sponsored events, except when required during official investigations as described in paragraph 2.6.1.2.

2.5.1. Violation of this prohibition by military personnel is a violation of Article 92, UCMJ. Violations by civilian employees may result in administrative disciplinary action without regard to otherwise applicable criminal or civil sanctions for violations of related laws.

2.5.2. Remarks made by guest lecturers, faculty, and students may be released or discussed with other individuals outside the school forum only after permission is received from the speaker and approval obtained from the school commandant or commander concerned, or his or her designated representative. For record-keeping purposes, written permission should be obtained when possible. If written permission is difficult or impractical to obtain, memos for record or other suitable methods should be used to indicate that the speaker has granted permission.

2.6. Although individuals may debate a wide range of relevant issues, including ones that are controversial, academic freedom must be tempered by good judgment so that individuals refrain from making unreasonably offensive or irresponsible statements either verbally or in writing. Unreasonably offensive or irresponsible statements include comments disparaging any person's race, color, religious beliefs, national origin, ethnic group, sexual orientation, or gender. In the spirit of academic freedom, free speech, and intellectual honesty, students are encouraged to research and debate relevant issues in a professional manner. Unreasonably offensive or irresponsible statements by any student or speaker in any Air University forum will not be tolerated. This is not meant to restrict discussions of controversial subjects; however, good judgment and discretion must be a guiding standard. Statements made by individuals that are clearly designed to incite riots, advocate overthrow of the government, encourage intellectual dishonesty or the capricious and arbitrary disregard of standards of professional conduct, also fall under the category of unreasonably irresponsible statements.

2.6.1. Actions Resulting from Unreasonably Offensive or Irresponsible Statements.

2.6.1.1. Individuals who make unreasonably offensive or irresponsible statements as described in paragraph 2.6 at any activity in the Air University educational forum or at any event sponsored by Air University are subject to termination of lecture privileges, termination of payment for services rendered by a guest lecturer, and or adverse administrative or disciplinary action. Individuals who violate the non-attribution policy are also subject to adverse administrative and or disciplinary action.

2.6.1.2. Military personnel subject to the UCMJ who make unreasonably offensive or irresponsible statements or violate the non-attribution policy, are subject to disciplinary actions under the UCMJ. Cases involving civilian personnel will result in a memorandum to the civilian's supervisor describing the violation of Air University policy. Students are also subject to faculty board action under AUI 36-2315, *Student Disenrollment Procedures*, and AFI 51-602, *Boards of Officers*.

2.6.1.3. Any individual who attends an activity in any Air University forum may file a complaint regarding unreasonably offensive or irresponsible statements where such a statement is made. Complaints should be made, in writing and through the school or college chain of command, to the commandant or commander of the school or college (or the detachment commander for AFROTC) where the remark or statement was made. Complaints should be made within 72 hours after the event to ensure a timely investigation of the complaint and, if applicable, to comply with paragraph 5 of AUI 36-2305, *Policies on Presenting and Recording Air University Guest Lectures*,

with regard to terminating payment for services rendered by a guest lecturer. The commandant or commander investigates the complaint and takes appropriate action.

2.6.1.4. The name of a person who makes unreasonably offensive or irresponsible statements may **not** be divulged outside the school forum and outside the complaint process described above except as required during official investigations of incidents of unfounded irresponsible statements or during resulting administrative or disciplinary proceedings.

2.7. All materials intended for presentation outside of DOD channels, publication, or public release that are produced in the course of fulfilling one's duties at AU and that identify the author as a member of the faculty, staff, or student body of any AU school or activity must be submitted for security and policy review to the Air University Public Affairs (PA) Office (or to the Air Force Institute of Technology Public Affairs (AFIT/PA) Office for AFIT students and faculty). Such reviews are not forms of censorship. Air University faculty, students, and staff have academic freedom in research and publication, as defined in paragraph 1 of this instruction. A security review has no impact on a scholar's interpretation of, or opinion about, United States Air Force or DOD policy. The sole purpose of a security review is to determine that the materials comply with applicable security guidelines and that United States Air Force or DOD policy, when stated, is stated correctly. Reference AUI 14-101, *Security Review of Research Papers, Textbooks, and Related Documents*, and AUI 36-2321, *Research and Publication*, for specific responsibilities regarding the security and policy review process.

2.7.1. To assist review by AU/PA, all statements of United States Air Force or DOD policy, subjects with the potential for security classification, caveated material (FOUO, NOFORN, NOCONTRACT, or LIMDIS), or material for which the United States government holds copyright should be highlighted.

2.7.2. Materials intended for publication and distribution outside the Air University educational forum must contain the following disclaimer, which may be modified to accommodate the specific material being addressed: "The views expressed in this academic research paper are those of the author and do not reflect the official policy or position of the US government, the Department of Defense, or Air University."

2.7.3. In accordance with AFI 51-303, *Intellectual Property--Patents, Patent Related Matters, Trademarks and Copyrights*, materials developed using Air Force appropriated funds may not be copyrighted by the individual, but are the property of the United States government.

2.7.4. AU/PA maintains records of materials submitted for security and policy review for 1 year. If an AU school/college/Center has reason to retain records for longer than 1 year, they must maintain their own records.

3. Responsibilities:

3.1. Each Air University college, school, Center, or organization must identify an office of primary responsibility (OPR) within their organization whose responsibility it is to ensure this policy is fully understood by all faculty and staff members, students, and guest lecturers. Questions concerning administration or enforcement of this policy should be addressed to the Air University Vice President for Academic Affairs (AU/CF)"

3.2. School/college faculty periodically remind students of this policy and monitor question periods to help ensure compliance.

3.3. Individuals who believe their academic freedom has been violated may seek redress, first, through the organization or activity where the proposed violation occurred through the organizational chain of command. If the violation being claimed by the individual occurred with the individual's immediate supervisor (instructor), then the individual is permitted to bypass the immediate supervisor (instructor) and submit the claim for redress to the next level within the organizational chain of command.

3.3.1. The individual's request for redress of an academic freedom violation must include a precise and complete description of the incident in question, from the individual's perspective; statements from eye witnesses, if any; and the specific redress the individual is seeking.

3.3.2. This action must be initiated by the individual, and documented, within one calendar year of the alleged violation.

3.3.3. If satisfactory resolution is not obtained at the organization or activity level, the individual may elevate the complaint to the Air University Vice President for Academic Affairs (AU/CF), who will, in coordination with the AU Legal Office (AU/JA), review the case and provide a recommendation to the AU Commander and President (AU/CC). The decision of the AU Commander and President is final.

3.3.4. If the resolution of the case involves actions against a faculty or staff member of a school, the appropriate school/Center commandant/commander will consult AU/JA as necessary to determine appropriate disciplinary actions.

DAVID S. FADOK, Lt Gen, USAF
Commander and President, Air University

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

Uniform Code of Military Justice (UCMJ)

AFPD 36-26, *Total Force Development*, 27 September 2011

AFI 11-215, *USAF Flight Manual Program (FMP)*, 22 December 2008

AFI 51-303, *Intellectual Property--Patents, Patent Related Matters, Trademarks & Copyrights*, 1 September 1998

AFI 51-602, *Boards of Officers*, 2 March 1994

AUI 14-101, *Security Review of Research Papers, Textbooks, & Related Documents*, 29 August 2008

AUI 36-2305, *Policies on Presenting and Recording Air University Guest Lectures*, 1 December 2011

AUI 36-2609, *Academic Integrity*, 2 April 2012

AUI 36-2315, *Student Disenrollment Procedures*, 19 November 2008

AUI 36-2321, *Research and Publication*, 27 October 2011

Air University Faculty Handbook (updated annually)

Adopted Form

AF Form 847, *Recommendation for Change of Publication*

Abbreviations and Acronyms

AAUP – American Association of University Professors

AFIT – Air Force Institute of Technology

AFROTC – Air Force Reserve Officer Training Corp

AU/PA – Headquarters Air University Public Affairs Office

FOUO – For Official Use Only

LIMDIS – Limited Distribution

NOCONTRACT – No Contractor Disclosure

NOFORN – No Foreign Disclosure

UCMJ – Uniform Code of Military Justice

Terms

Academic Integrity – Uncompromising adherence to a code of ethics, morality, conduct, scholarship, and other values related to academic activity.

Air University-Sponsored Event – Any educational forum or discussion outside resident periods of instruction or the distributed learning environment where speakers interact with faculty, students, or staff members. Examples include such events as roundtable discussions, symposia, colloquia, etc., which may be conducted by any Air University organization.

Educational Forum – Any scheduled period of instruction taking place in a resident environment (an auditorium, classroom, or field leadership activity) or distributed learning environment (a nonresident seminar, online Internet session via computer, networked teleconference presentation, or otherwise televised instructional broadcasts) where discussions, either written or verbal, are part of an official course sponsored by Air University.

Non-attribution – Treating statements made in school forum as privileged information not to be attributed to a specific individual.

Policy Review – The process of determining that all statements of United States Air Force and DOD policy are accurate.

Security Review – The process of determining that materials under consideration do not violate applicable security guidelines.