

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 1139

Short Title: Academic Bill of Rights. (Public)

Sponsors: Senators Brock; Pittenger and Webster.

Referred to: Education/Higher Education.

March 24, 2005

A BILL TO BE ENTITLED

AN ACT TO REQUIRE EACH CONSTITUENT INSTITUTION OF THE UNIVERSITY OF
NORTH CAROLINA TO ADOPT AN "ACADEMIC BILL OF RIGHTS".

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 116 of the General Statutes is amended by adding a new Part to read:

"Part 8. Academic Bill of Rights.

"§ 116-44.9. Academic bill of rights.

Each constituent institution of The University of North Carolina shall adopt a policy recognizing that the students, faculty, and instructors of the institution have the following rights:

- (1) The constituent institution shall provide its students with a learning environment in which the students have access to a broad range of serious scholarly opinions pertaining to the subjects they study. In the humanities, the social sciences, and the arts, the fostering of a plurality of serious scholarly methodologies and perspectives shall be a significant institutional purpose. In addition, curricula and reading lists in the humanities and social studies shall respect all human knowledge in these areas and provide students with dissenting sources and viewpoints.
- (2) Students shall be graded solely on the basis of their reasoned answers and appropriate knowledge of the subjects and disciplines they study and shall not be discriminated against on the basis of their political, ideological, or religious beliefs. Faculty and instructors shall not use their courses or their positions for the purpose of political, ideological, religious, or antireligious indoctrination.
- (3) Faculty and instructors shall not infringe upon the academic freedom and quality of education of their students by persistently introducing controversial matter into the classroom or coursework that has no relation to their subject of study and that serves no legitimate pedagogical purpose.
- (4) University administrators, student government organizations, and institutional policies, rules, or procedures shall not infringe upon the freedom of speech, freedom of expression, freedom of assembly, and freedom of conscience of

students and student organizations.

- (5) The constituent institution shall distribute student fee funds on a viewpoint-neutral basis and shall maintain a posture of neutrality with respect to substantive political and religious disagreements, differences, and opinions. The selection of speakers, allocation of funds for speakers' programs, and other student activities shall observe the principles of academic freedom and promote the presentation of a diversity of opinions on intellectual matters. Except as provided by law, the institution shall not permit the obstruction of invited campus speakers, the destruction of campus literature, or other efforts to obstruct a civil exchange of ideas.
- (6) Faculty and instructors shall be free to pursue and discuss their own findings and perspectives in presenting their views, but they shall make their students aware of serious scholarly viewpoints other than their own through classroom discussion or dissemination of written materials, and they shall encourage intellectual honesty, civil debate, and the critical analysis of ideas in the pursuit of knowledge and truth.
- (7) Faculty and instructors shall be hired, fired, promoted, and granted tenure on the basis of their competence and appropriate knowledge in their field of expertise and shall not be hired, fired, promoted, granted tenure, or denied promotion or tenure on the basis of their political, ideological, or religious beliefs.
- (8) Faculty and instructors shall not be excluded from tenure, search, and hiring committees on the basis of their political, ideological, or religious beliefs.
- (9) The institution and its professional societies shall maintain a posture of organizational neutrality with respect to the substantive disagreements that divide researchers on questions within or outside their fields of inquiry, recognizing that:
 - a. Knowledge advances when individual scholars are left free to reach their own conclusions about which methods, facts, and theories have been validated by research;
 - b. Academic institutions and professional societies formed to advance knowledge within an area of research, maintain the integrity of the research process, and organize the professional lives of related researchers serve as indispensable venues within which scholars circulate research findings and debate their interpretations."

SECTION 2. This act is effective when it becomes law.