

Statement of Procedural Rights of Faculty Related to Academic Freedom

Preamble: This statement references the procedural rights all faculty at William & Mary possess in relation to the exercise of academic freedom. During this time in which academic freedom is under attack at institutions of higher learning throughout the United States we, as members of the Faculty Assembly, believe it is important that faculty are reminded of these rights, as stated in the University's [Statement of Rights & Responsibilities](#) and codified in the [Faculty Handbook](#).

I. The Faculty Handbook (9) subscribes to the [Statement of Principles on Academic Freedom and Tenure](#), adopted jointly in 1940 and interpreted in 1970 by the Association of American Colleges and by the American Association of University Professors. This statement affirms that “controversy is at the heart of academic inquiry” (n. 4, interpretive comment 2) and that academic freedom entails the right to speak on controversial topics that fall within one’s area of expertise.

II. Faculty possess the right to appeal denials of retention, tenure, or promotion on grounds that “the negative decision was or resulted from a violation of academic freedom” ([Faculty Handbook](#), 30).

III. In cases of early termination ([Faculty Handbook](#), 17), “adequate cause for dismissal must be related directly and substantially to the fitness of faculty members in their professional capacity as academicians. Dismissal shall not be used to restrain faculty members in their exercise of academic freedom or other rights of U.S. citizens.”

IV. Should a faculty member nonetheless be accused of incompetence, neglect of duty, or misconduct (academic or otherwise) as a result of exercising their academic freedom, the Faculty Handbook lists the procedural rights possessed by faculty in responding to such allegations (46-56). Moreover, “if any full-time faculty member, part-time faculty member, or group of faculty members feels that he, she, or they have cause for grievance in any matter not governed by other procedures in the Faculty Handbook, he, she, or they may petition the Faculty Hearing Committee for redress” ([Faculty Handbook](#), 60).

V. The Faculty Handbook affirms the principle of self-governance of the faculties. It defines the powers and composition of the Procedural Review Committee and the Faculty Hearing Committee (7-9), and their roles in adjudicating allegations of violations of academic freedom.