



# FREEDOM AND TENURE IN THE ACADEMY

William W. Van Alstyne, editor

# Freedom And Tenure In The Academy

**J. Peter Byrne**



## **Freedom And Tenure In The Academy:**

Freedom and Tenure in the Academy William W. Van Alstyne, 1993 Van Alstyne presents an unhurried historical review of the extent to which academic freedom has been accepted into domestic constitutional law Two essays deal with the issue of tenure and academic freedom Ralph S Brown and Jordan E Kurland agree that tenure reinforces academic freedom but wonder if there is not a large price to be paid for such a system In a highly instructive review Matthew Finkin looks at academic tenure and freedom in the light of labor law Focusing on freedom of artistic expression Robert O Neil raises difficult questions about what kinds of art displays taxpayers can be expected to tolerate in the colleges and universities they support Rodney A Smolla looks at the ways in which hate speech and offensive expression on campuses engage wide First Amendment jurisprudence Judith Jarvis Thomson examines the vexed issue of selecting and valuing individual faculty members or disciplines with regard to ideology Michael W The Questions of Tenure Richard P. Chait, Richard Chait, 2002 Children from low income backgrounds often experience fourth year slump despite the fact that their cognitive abilities may be consistent with the norm This book examines the causes of this disparity and outlines an active role for the schools in remedying weaknesses in literacy development Academic Freedom Without Tenure? J. Peter Byrne, 1997 **Protections of Tenure and Academic Freedom in the United States** Matthew J Hertzog, 2017-07-10 This volume examines the historical origins of tenure in higher education The concept of academic freedom and tenure has been a point of discussion between university faculty and administration since the American Association of University Professors AAUP established these two concepts in their 1915 Declaration of Principles on Academic Freedom and Tenure In this book the author examines the history of these two issues and how they became an integral part of higher education in the United States In his detailed analysis the author provides a review of landmark state and federal court cases and evaluates the subsequent impact of those rulings on academic freedom and tenure Academic Freedom and Tenure Richard T. De George, 1997 Academic freedom and tenure both cherished institutions of higher education are currently under attack by many both outside and within the academy Richard DeGeorge argues that they can be defended on ethical grounds only if they are joined with appropriate accountability publicly articulated and defended standards and conscientious enforcement of these standards by academic institutions and the members of the academic community He discusses the ethical justification of tenure and academic freedom as well as ethical issues in their implementation He argues that academic freedom which is the basis for tenure is not license nor the same as freedom of speech Properly understood and practiced both academic freedom and tenure exist not to benefit faculty members or their institutions but to benefit an open society in which they thrive and of which they are an important part The Law of Higher Education, A Comprehensive Guide to Legal Implications of Administrative Decision Making William A. Kaplin, Barbara A. Lee, Neal H. Hutchens, Jacob H. Rooksby, 2019-04-05 Your must have resource on the law of higher education Written by recognized experts in the field the latest edition of The Law of

Higher Education Vol 1 offers college administrators legal counsel and researchers with the most up to date comprehensive coverage of the legal implications of administrative decision making In the increasingly litigious environment of higher education William A Kaplin and Barbara A Lee s clear cogent and contextualized legal guide proves more and more indispensable every year Two new authors Neal H Hutchens and Jacob H Rooksby have joined the Kaplin and Lee team to provide additional coverage of important developments in higher education law From hate speech to student suicide from intellectual property developments to issues involving FERPA this comprehensive resource helps ensure you re ready for anything that may come your way Includes new material since publication of the previous edition Covers Title IX developments and intellectual property Explores new protections for gay and transgender students and employees Delves into free speech rights of faculty and students in public universities Expands the discussion of faculty academic freedom student academic freedom and institutional academic freedom Part of a 2 volume set If this book isn t on your shelf it needs to be

*The Academic Bill of Rights Debate* Stephen H. Aby, 2007-08-30 The Academic Bill of Rights was introduced in 2003 after two decades of conservative critiques of higher education and its faculty Its goal was to generate legislative initiatives to rein in the tenured radicals who were allegedly dominating higher education and infringing on the academic freedom rights of conservative students At its root the debate revolves around some core questions who should teach and who has the knowledge and training to hire and evaluate faculty what knowledge should be taught and most fundamentally who should make these decisions Should it be trained faculty who are specialists in their fields and who were hired to teach and advance knowledge Or should it be politicians or outsiders who may be empowered by legislation to interfere in academic decisions The academic freedom of faculty and the independence of higher education depends on the answers to these questions This book is the first to bring together a variety of critiques of the Academic Bill of Rights Furthermore by including some works by David Horowitz and his critics as well as websites and a bibliography reflecting various points of view it gives life to the debate showing some of the give and take of the arguments This collection also presents the background on the historical context of academic freedom showing its fragility and therefore the importance of preserving it Also featured are some core documents such as the AAUP s 1940 Statement of Principles on Academic Freedom and Tenure that are central to the debates Some of the conservative critiques of higher education are identified in the selective annotated bibliography chapter And case studies of how the ABOR was contested in three states where it was introduced as legislation are also included Finally this book attempts to refocus concerns about higher education on the real issue its growing domination by corporate values and interests converting higher education from a public good into an increasingly private commodity

**The Law of Higher Education** William A. Kaplin, Barbara A. Lee, Neal H. Hutchens, Jacob H. Rooksby, 2019-04-05 Your must have resource on the law of higher education Written by recognized experts in the field the latest edition of The Law of Higher Education offers college administrators legal counsel and researchers with the most up to date comprehensive coverage of

the legal implications of administrative decision making In the increasingly litigious environment of higher education William A Kaplin and Barbara A Lee s clear cogent and contextualized legal guide proves more and more indispensable every year Two new authors Neal H Hutchens and Jacob H Rooksby have joined the Kaplin and Lee team to provide additional coverage of important developments in higher education law From hate speech to student suicide from intellectual property developments to issues involving FERPA this comprehensive resource helps ensure you re ready for anything that may come your way Includes new material since publication of the previous edition Covers Title IX developments and intellectual property Explores new protections for gay and transgender students and employees Delves into free speech rights of faculty and students in public universities Expands the discussion of faculty academic freedom student academic freedom and institutional academic freedom If this book isn t on your shelf it needs to be      *Understanding Academic Freedom* Henry Reichman,2021-10-05 Part of the acclaimed Higher Ed Leadership Essentials series this book surveys academic freedom s history and its application in today s universities Academic freedom is once again at the epicenter of the crisis in higher education A community college instructor in Iowa is pressured to resign after his pro antifa social media comments garner vicious harassment that administrators find threatening to campus safety A tenured biology professor at a college on Long Island is threatened with dismissal because she allegedly grades students too strictly And in the wake of the COVID 19 pandemic a conservative activist calls on his followers to take advantage of online classes to send any and all videos of blatant indoctrination to his organization so that it might expose and blacklist leftist professors These incidents from the 2019 20 academic year represent only the tip of the iceberg Academic freedom long heralded as a core value of American higher education may now be in as much danger as at any time since the 1950s But what is academic freedom A value upheld for one s supporters but not one s opponents when discussing a polarizing controversy Or a narrow claim of privilege by a professorial elite immune from public accountability In this concise and compelling book Henry Reichman who chaired the American Association of University Professors Committee on Academic Freedom and Tenure for nearly a decade mounts a rigorous defense of academic freedom and its principal means of protection the system of academic tenure Probing academic freedom s role in multiple contexts Reichman draws on a wealth of historical and contemporary examples to offer the first comprehensive introduction to the concept in all its manifestations Elucidating its sometimes complicated meanings Reichman argues that academic freedom like its cousin freedom of speech cannot easily be defined but instead emerges from the contextual application of guiding principles developed and modified over time He also explores why the rise of contingent faculty employment represents the gravest current threat to academic freedom reveals how academic freedom is complicated by both fiercely polarized campus environments and the emergence of social media that extend speech beyond the lecture halls of the academy and touches on the rights of students in and out of class including treatment of student protest movements      *Higher Education: Handbook of Theory and Research* J.C. Smart,2001-06-30 Published annually since 1985

the Handbook series provides a compendium of thorough and integrative literature reviews on a diverse array of topics of interest to the higher education scholarly and policy communities     Establishing Academic Freedom Timothy Reese Cain,2012-09-06 This is this the book length work addressing the development of academic freedom and the procedures designed to protect it from the 1915 founding of the AAUP and the AAC to their endorsement of the key document in the history of professorial rights and responsibilities the 1940 Statement of Principles of Academic Freedom and Tenure

*Democracy and the Academy* Robert Weissberg,2000 Treatises on democracy in higher education are hardly original undertakings in today's troubled often acrimonious campus environments All the hot button issues racial preferences in admissions sexual harassment government funding multiculturalism speech codes even formulating the core curriculum sooner or later drag in democracy In fact academic democracy has become a virtual scholarly mini industry The authors bring a breath of fresh perspectives to this expansive subject a collection of analyses written by scholars seldom invited to prestigious conferences dominated by eminent presidents trustees provosts and all the other educational leaders who normally define public discourse at a safe distance from the classroom The authors eschew the customary offering of high sounding speeches platitudes and rhapsodizing about the democratic role of education especially well funded education

**Engaging the Six Cultures of the Academy** William H. Bergquist,Kenneth Pawlak,2007-10-19 In *The Four Cultures of the Academy* William H Bergquist identified four different yet interrelated cultures found in North American higher education collegial managerial developmental and advocacy In this new and expanded edition of that classic work Bergquist and coauthor Kenneth Pawlak propose that there are additional external influences in our global culture that are pressing upon the academic institution forcing it to alter the way it goes about its business Two new cultures are now emerging in the academic institution as a result of these global external forces the virtual culture prompted by the technological and social forces that have emerged over the past twenty years and the tangible culture which values its roots community and physical location and has only recently been evident as a separate culture partly in response to emergence of the virtual culture These two cultures interact with the previous four creating new dynamics     *Culture Wars* Roger Chapman,2010 Although openness and inclusion are cornerstones of life in the United States intolerance and reactionary politics are also very real As the nation prepares to elect a new president *The Culture Wars* addresses the key defining issues of contemporar

Recommended Principles to Guide Academy-Industry Relationships American Association of University Professors American Association of University Professors,2014-02-15 The reputation of a college or institution depends upon the integrity of its faculty and administration Though budgets are important ethics are vital and a host of new ethical problems now beset higher education From MOOCs and intellectual property rights to drug industry payments and conflicts of interest this book offers AAUP policy language and best practices to deal with all the campus wide challenges of today's corporate university Preserving the integrity of research and public respect for higher education Eliminating and managing individual

and institutional financial conflicts of interest Maintaining unbiased hiring and recruitment policies Establishing grievance procedures and due process rights for faculty graduate students and academic professionals Mastering the complications of negotiations over patents and copyright Assuring the ethics of research involving human subjects In a time of dynamic change Recommended Principles to Guide Academy Industry Relationships offers an indispensable and authoritative guide to sustaining integrity and tradition while achieving great things in twenty first century academia

**The Routledge International Encyclopedia of Education** Gary McCulloch, David Crook, 2013-11-26 The Routledge International Encyclopedia of Education is a unique and major resource for the field of education It is a comprehensive single volume work arranged alphabetically and comprising around 600 entries The entries range from definitions of key educational concepts and terms to biographies of key educators and specially written substantial essays on major educational topics The volume includes authoritative and critical commentary on historical and contemporary themes examinations of continuities changes and emerging issues and discussions of the educational traditions and features of major countries and continents The following special features are also included Unrivalled coverage of education in a single volume Entries by leading international educational researchers Contributors drawn from all over the globe including Australia Brazil Canada China Finland India Israel Japan New Zealand South Africa the United Kingdom and the United States A distinguished international advisory board Fully cross referenced and indexed Suggestions for further reading Offering insight into the world of education in an interesting informed and sometimes provocative way The Routledge International Encyclopedia of Education is an invaluable work of reference for educators students researchers and policy makers in education and related fields internationally

**Annals of the American Academy of Political and Social Science** American Academy of Political and Social Science, 1922

**The Scholarly Vocation and the Baptist Academy** Roger A. Ward, David P. Gushee, 2008 Offers a look at how Baptists have formed and sustained scholarly life in America This title is based on a group of Baptist scholars interested in critically examining the history challenges and possibilities of a scholarly life in the Baptist Academy

*The Academy in Crisis* John Sommer, 2018-05-04 The Academy in Crisis is a provocative contribution to an important debate The costs of government support for American universities are not negligible They include stress on some of the core values of universities and of science values like openness collaboration and collegiality and pressure too on other central institutional responsibilities such as the education of undergraduates Robert M. Rosenzweig former president Association of American Universities

*Academic Freedom at American Universities* Philip Lee, 2014-11-19 This book details the legal and historical development of institutional and professorial academic freedoms to better understand the relationship between these concepts While some judges and scholars have focused on the divergence of these protections this book articulates an aligned theory that brings both the professorial and institutional theories together It argues that while constitutionally based academic freedom does its job in protecting both public and private universities from excessive state interference or at the

very least it asks the right questions it is inadequate because it fails to protect many individual professors in the same way This solution entails using contract law to fill in the gaps that constitutional law leaves open in regard to protecting individual professors Contract law is an effective alternative to constitutional law for three reasons First unlike constitutional law it covers professors at both public and private universities Second it allows for the consideration of the custom and usage of the academic community as either express or implied contract terms in resolving disputes between universities and professors Third contract law enables courts to structure remedies that take into account the specific campus contexts that give rise to various disputes instead of crafting broad remedies that may ill fit certain campus environments The proposed reconceptualization of academic freedom merges constitutional protection for institutions and contractual protection for individual professors This combined approach would provide a more comprehensive framework than is currently available under the predominantly constitutional paradigm of academic freedom



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