

RESOLUTION IN SUPPORT OF AMENDMENTS TO THE BYLAWS OF THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA

WHEREAS, section 4.2 of the Bylaws of the Board of Regents of the University of Nebraska states, “The University serves the people of Nebraska and the common good through learning, teaching, extension work, research, scholarship, and public service. Fulfillment of these functions requires the preservation of intellectual freedoms of teaching, expression, research, and debate. The right to search for truth, to support a position the searcher believes is the truth, and to disagree with others whose intellect reaches a different conclusion is the fiber of America's greatness. It is, likewise, the strength of a great University, and its preservation is vital;”

WHEREAS, section 4.2 of the Bylaws of the Board of Regents of the University of Nebraska states, “A teacher or researcher is entitled to freedom in research, and publication of the results of research, limited only by the precepts of scholarship and faithful performance of academic obligations. Members of the professional staff are entitled to freedom in the classroom in discussing their subjects;”

WHEREAS, section 4.2 of the Bylaws of the Board of Regents of University of Nebraska states, “Members of the professional staff are entitled to exercise their right to speak and act as citizens of the United States and of the State of Nebraska. Members of the professional staff shall not suffer sanctions or be discriminated against with respect to the duration of association with the University, pay or other emoluments of their office, appointment, position, or their working conditions because of their enjoyment, or exercise, of their right of academic freedom, or in any case where such action would constitute a violation of federal or state civil rights laws or regulations;”

WHEREAS, upon review, the procedures for suspending professional staff members, which includes faculty, are not well defined in section 4.14 and section 4.15 of the Bylaws of the Board of Regents of the University of Nebraska; rather they are open to interpretation, which has led to the lack of due process for professional staff members;

WHEREAS, in October 2018 the Faculty Senate Executive Committee formed an ad hoc committee of faculty and administration to review and recommended changes to policies and procedures to clarify the circumstances, terms, and evidence required to suspend members of the professional staff such that academic freedom protections at the University of Nebraska would be strengthened;

WHEREAS, it is of benefit to the professional staff if the procedures for handling suspensions are made much clearer;

WHEREAS, suspensions, terminations and reassignments of professional members should be made in concert with already established Bylaws of the Board of Regents of the University of Nebraska, in particular section 4.2, and with well-established principles and norms of academic freedom, including faculty review;

BE IT RESOLVED that the University of Nebraska-Lincoln Faculty Senate calls upon the Board of Regents of the University of Nebraska to adopt the proposed amendments without modification, and by doing so renew their commitment to upholding the principles of academic freedom.

Kevin Hanrahan, President
University of Nebraska–Lincoln Faculty Senate

Date