

## **Policy 200.4 – Student Academic Freedom**

Date Adopted: 8/11/04

Issuing Office: Academic Affairs

Date Revised: 2/8/05

Approved By:

References:

---

### **I. POLICY**

The University of Montana Western has established regulations by which its members must abide and procedures by which its organizations function in order to provide a campus atmosphere conducive to the intellectual and personal development of all members of the UMW community.

### **II. PURPOSE**

The intent of academic affairs policy is to facilitate an understanding of the rights, freedoms, and obligations of students. As members of an academic community, students are expected to conduct themselves in accordance with the formal expectations of the University. Students, like all members of the University, assume the responsibility to conduct themselves in concert with the objectives and standards of conduct established by the University.

### **III. PROCEDURES**

UMW's regulations must conform to the law as well as take into account the particular role of educational institutions. Fundamental to our entire philosophy is the firm belief that rights guaranteed by the First and Fourteenth Amendments to the Constitution of the United States must be protected on the campus as elsewhere and that local, state, and federal laws must prevail on campus. Becoming a member of the University community in no way abrogates or compromises the rights that the Constitution of the United States guarantees to all persons. This principle applies to the adjudication of violations of campus policies as well as other areas.

Within the University setting, as within society at large, the exercise of one's rights must be tempered by recognition of the rights of others. For example, the exercise of free speech may unreasonably infringe upon the right to learn, or in some cases might constitute sexual harassment or some other illegal form of speech. It should not be surprising that conflict may arise between parties engaged in activities that are individually lawful, for a fundamental function of social organization is the reconciliation of competing interests. Within the University setting more than any other, the appropriate means for conflict resolution is rational discourse. The processes fundamental to the existence of the University cannot be abandoned under stress, especially since they represent the most effective means for progress. Further, the criteria employed to seek lawful accommodation of various interests must grant special attention to the central mission of the University: learning and teaching.

The laws of society and the mission of the University establish the framework within which disagreement, dissent, demonstration, and advocacy may, indeed must, occur. For humankind to progress, the educational process must be dynamic even if fraught with controversy, for change cannot take place until the first question is raised. The discovery of new propositions or new solutions also may be followed by passionate advocacy. Such advocacy must never replace the continued pursuit of the University's essential purpose of learning and teaching.

It is within this context that the University rejects the use or threat of force as a means of resolving differences. Violence is both unnecessary and inappropriate for those who have access to reasoned discourse and is unacceptable within an institution dedicated to reason. The University officer responsible for implementing the policy statement on freedom of expression and dissent, when students are involved, is the chief student affairs officer. In the event faculty or staff are engaged in disruption, the chief student affairs officer or that officer's duly authorized representative shall consult

with the Chancellor before taking action. In all cases, the designated officer shall attempt to resolve the situation through efforts of persuasion. The University must, after efforts at persuasion have failed, resort to the use of any legal remedy deemed necessary. Those engaged in unlawful disruption, consequently, may expect appropriate responses from the University, law enforcement authorities, or both.

**IV. AUTHORITY**

**V. RESPONSIBILITY**

Provost/Vice Chancellor for Academic Affairs, Chancellor, Dean of Students