



TEXAS TECH™

Operating Policy and Procedure

OP 30.09: Academic Freedom and Artistic Expression

DATE: September 4, 2024

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to ensure academic freedom and artistic expression on the Texas Tech University campus.

REVIEW: This OP will be reviewed every two years after publication by the Vice Provost for Academic Innovation and Student Success and the Vice Provost for Faculty Success with substantive revisions forwarded to the Provost and Senior Vice President.

POLICY/PROCEDURE

1. Academic Freedom in Artistic Expression

Faculty and students engaged in the creation and presentation of works of the visual and performing arts are engaged in pursuing the mission of Texas Tech University (TTU) as much as those who write, teach, and study in other academic disciplines.

- a. Works of the visual and performing arts are important both in their own right and because they can enhance our experience and understanding of social institutions and the human condition. Artistic expression in the classroom, studio, and workshop, therefore, merits the same assurance of academic freedom that is accorded to other scholarly and teaching activities.
- b. Since faculty and student artistic presentations to the public are integral to their teaching, learning, and scholarship, these presentations merit protection. Educational and artistic criteria must be used by all who participate in the selection and presentation of artistic work.

2. Time, Place, and Manner Guidelines

- a. Texas Tech University, its colleges, departments, and academic units may, during the academic year, host and/or sponsor artistic performances and exhibits for the benefit and enjoyment of TTU faculty, staff, students, and the general public.
- b. The university reserves the right to implement and enforce reasonable time, place, and manner guidelines regarding expressive activities including, but not limited to, those set forth in this OP.
 - (1) Events subject to this section include, but are not limited to, musical performances, both instrumental and voice, by large groups, small groups, and individuals; theatrical and dance performances by large groups, small groups, and individuals; exhibits of the visual arts; and performances by outside artists sponsored/hosted by TTU, its colleges,

departments, and academic units. Outdoor rehearsals and performances of the Goin' Band from Raiderland are not subject to the requirements of this section.

- (2) TTU must ensure that regulation of events described herein and procedures applicable to them do not impair freedom of expression or discourage creativity by subjecting artistic work to tests of propriety and/or ideology.
- c. The following time, place, and manner guidelines are applicable to the events described in subsection b above:
- (1) Events that are unlawful or that materially and substantially disrupt the normal operations of TTU are prohibited;
 - (2) All events subject to this section should be approved and scheduled with the appropriate administrator, dean, department chair, or unit coordinator of the campus entity hosting/sponsoring the event at least ten (10) days before the event;
 - (3) Events subject to this section should be held in a TTU building or facility, or on TTU property. With proper approvals and planning, events subject to this section can be held in locations not on the TTU campus;
 - (4) Hosts/sponsors of events subject to this section should place the event on the TTU Events Calendar at least seven (7) days before the performance/exhibit; and
 - (5) Advertisements/marketing of events subject to this section should be approved in advance by the appropriate administrator, dean, department chair, or unit coordinator of the TTU entity hosting/sponsoring such event.
- d. Failure to follow the guidelines established in this section may result in limitations and/or restrictions on hosting/sponsoring future events.

3. Accountability

- a. Academic institutions must provide artistic performances and exhibits to encourage artistic creativity, expression, learning, and appreciation. TTU does not, however, endorse the specific artistic presentations nor do the presentations necessarily represent TTU.
- b. This principle of institutional neutrality does not relieve academic institutions of general responsibility for maintaining professional and educational standards, but it does mean that academic institutions are not responsible for the views or attitudes expressed in specific works any more than they would be for the content of other instruction, publication, or invited speeches.
- c. Those who present artistic work must not present themselves or their work as speaking for TTU and must otherwise fulfill their educational and professional responsibilities.

4. Audience

- a. When TTU offers exhibitions or performances to the public, it must ensure that the rights of the presenters and the audience are not impaired by those who may be offended by the

presentation. TTU must ensure that those who choose to view or attend may do so without interference. Mere presentation in a public place does not create a “captive audience.”

- b. TTU may reasonably designate specific places as generally available or unavailable for exhibitions or performances.

5. Public Funding

- a. Public funding for artistic presentations and for academic institutions does not diminish (and indeed may heighten) the responsibility of the TTU community to ensure academic freedom and of the public to respect the integrity of the academic institution.
- b. Government imposition on artistic expression of a test of propriety, ideology, or religion is an act of censorship, which impermissibly denies the academic freedom to explore, teach, and learn.