

OP 30.09: Academic Freedom and Artistic Expression

DATE: March 18, 2002

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 by February 1 of every even-numbered year by the vice provost with recommendations for revision presented to the provost by February 15.

POLICY/PROCEDURE

1. Academic Freedom in Artistic Expression

Faculty and students engaged in the creation and presentation of works of the visual and the performing arts are engaged in pursuing the mission of the university 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 should be used by all who participate in the selection and presentation of artistic work.

c. Reasonable content-neutral regulation of the "time, place, and manner" of presentations should be developed and maintained. Academic institutions are obliged to ensure that regulations and procedures do not impair freedom of expression or discourage creativity by subjecting work to tests of propriety or ideology.

2. Accountability

a. Academic institutions should provide artistic performances and exhibits to encourage artistic creativity, expression, learning, and appreciation. The institution does not thereby endorse the specific artistic presentations nor do the presentations necessarily represent the institution.

b. This principle of institutional neutrality does not relieve institutions of general responsibility for maintaining professional and educational standards, but it does mean that 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 should not present themselves or their work as speaking for the institution and should otherwise fulfill their educational and professional responsibilities.

3. Audience

a. When the academic institution offers exhibitions or performances to the public, it should ensure that the rights of the presenters and the audience are not impaired by those who may be offended by the presentation. The academic institution should 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. The institution may reasonably designate specific places as generally available or unavailable for exhibitions or performances.

4. Public Funding

a. Public funding for artistic presentations and for academic institutions does not diminish (and indeed may heighten) the responsibility of the university 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.