

# Academic Freedom and the Social Studies Educator

*A Position Statement of National Council for the Social Studies*

Academic freedom means that both social studies educators and students have the opportunity to engage in intellectual debate without fear of censorship or retaliation. Academic freedom gives both social studies educators and students the right to express their views—in speech, writing, and/or through electronic communication without fear of sanction. Academic freedom for social studies educators and students includes the right and responsibility to study, investigate, present, interpret, discuss, and debate relevant facts, issues, and ideas. Academic freedom means that the political, religious, or philosophical beliefs of politicians, administrators, and members of the public cannot be imposed on students or faculty.

## **Rationale for Academic Freedom in Social Studies**

In order to foster democratic processes and establish an informed citizenry, the ability to freely study, investigate, present, interpret, discuss, and debate relevant facts, issues, and ideas is deemed necessary. The presentations of topics within the ideals of academic freedom are fundamental to the advancement of truth and understanding of humanity. The ability of educators and students to make comparisons and contrasts between subjects taught in a course and any field of human knowledge or period of history, aids in the development of an engaged citizenry, contributes global understanding, and promotes the common good. Without the aforementioned opportunities of intellectual inquiry, the overarching mission of social studies education shall be quelled.

## **The study of controversial issues should develop the following skills and attitudes:**

- The desire and ability to study relevant problems and to make intelligent choices from alternatives.
- The desire and ability to use rational methods in considering significant issues.
- The willingness to recognize that differing viewpoints are valuable and normal.
- The recognition that reasonable compromise is often an important part of the democratic decision-making process.
- The skill of analyzing and evaluating sources of information—recognizing propaganda, half truths, and bias.

## **Responding to Academic Freedom Challenges**

The Supreme Court has delineated a three-step test for First Amendment cases brought by public employees, which includes the academic freedom cases of elementary and secondary teachers.

1. Is the conduct of the teacher “protected expression,” which must be both: concerning a public issue, and not unduly rocking the boat?<sup>1</sup>
2. If so, was this protected expression a substantial or motivating reason for the school district’s adverse action against the teacher?
3. If so, would the district have taken the action against the teacher regardless of the protected expression?

To prevail on the constitutional grounds of academic freedom, an educator must successfully clear the first two hurdles and not be beaten by the school board on the third one.

Documents such as this, while valuable as a guideline, do not presume to constitute sufficient guarantees. Only continuing concern, commitment, and action by educators, administrators, school boards, professional organizations, students, and the citizenry, can insure the reality of academic freedom in a changing society.

Academic freedom is neither easily defined nor can it always be protected. Academic freedom, like the freedoms of speech, press, and religion, is not absolute. However, it is recognized by NCSS as a fundamental element in teaching excellence and in the maintenance of our culture and government. 🌐

### **Note**

1. *Kirkland v. Northside Indep. School Dist.*, 890 F.2d 794 (5th Cir. 1989), cert. denied, 110 S. Ct. 2620 (1990).

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