

GONZAGA UNIVERSITY SCHOOL OF LAW POLICY ON ACADEMIC FREEDOM AND FREEDOM OF EXPRESSION

Nothing in this Policy supersedes the Gonzaga University Faculty Handbook or other University or Law School policies and procedures. Any discrepancies between this Policy and any of the aforementioned shall be resolved by the Provost, whose determination shall be final.

1. Academic Freedom

All full and part-time law faculty or others teaching law courses have a right to academic freedom. As defined in the Gonzaga University Faculty Handbook, “Academic freedom means that both faculty members and students can engage in intellectual debate without fear of censorship or retaliation.” *2024 Faculty Handbook 300.01*. Academic freedom applies to conducting research, publishing scholarship, engaging in law school governance, participating in law-related public service activities, curating library collections and providing information services, and exercising teaching responsibilities, including classroom presentations and those related to client representation in clinical programs. It applies to academic discourse, including faculty and students’ writings outside of the University, but only so long as the expression encompasses reasoned discourse. Academic freedom is further subject to the rights and special responsibilities outlined in Section 300.01 of the Faculty Handbook.

2. Freedom of Expression

Gonzaga Law’s mission is to provide an excellent legal education informed by our Catholic, Jesuit, and humanistic traditions and values. In keeping with its mission, the Law School is committed to free and open inquiry in all matters and fully respects and supports the freedom of expression of all members of the University community, subject to necessary and reasonable restrictions to ensure the function of the University and Law School, such as identifying the courses that will be taught, requiring courses to cover particular content, and requiring faculty, students, or staff to clarify in appropriate circumstances that their views are not statements by or on behalf of the Law School and/or the University. Subject to the reasonable time, place and manner restrictions described below, the Law School protects the rights of faculty, students, and staff to communicate ideas that may be controversial or unpopular, including through robust debate, demonstrations, and protests.

The Law School proscribes disruptive conduct that hinders free expression by preventing or substantially interfering with the carrying out of Law School functions or approved activities, such as classes, meetings, library services, guest speaker presentations, interviews, ceremonies, and public events. The Law School may restrict expression that violates the law, falsely defames a specific individual, constitutes a genuine threat, harassment, copyright infringement, or unjustifiably invades substantial privacy or confidentiality interests. The Law School may also reasonably regulate the time, place, and manner of expression consistent with applicable law and University policy.