

# BLUEPRINT FOR REFORM

THE JAMES G.  
MARTIN  
CENTER  
FOR ACADEMIC  
RENEWAL

## Institutional Neutrality

*To perform its mission in the society, a university must sustain an extraordinary environment of freedom of inquiry and maintain an independence from political fashions, passions, and pressures. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views within its own community. It is a community but only for the limited, albeit great, purposes of teaching and research. It is not a club, it is not a trade association, it is not a lobby.*

The Kalven Committee Report, 1967

### Why promote institutional neutrality?

Academia's primary mission is the discovery, preservation, and dissemination of knowledge in a free, neutral, and unbiased manner. The expression of dissenting opinions is crucial to this mission and to achieve a well-examined understanding of the world.<sup>1</sup>

Thus, "Institutional Neutrality" is a guiding principle that states institutions of higher education "cannot take collective action on the issues of the day."<sup>2</sup> To take such actions will endanger the university's mission, since it will inhibit the expression of dissenting opinions.

1. To read more from the Martin Center about the importance of institutional neutrality, visit: <https://www.jamesgmartin.center/tag/institutional-neutrality-policy/>

2. Kalven Committee: Report on the University's Role in Political and Social Action. Nov, 1967.

In general, the college or university must strive to keep its practices politically neutral in a wide range of activities, including hiring, curriculum formation, and campus life.

Institutional neutrality is especially important for public institutions. Public universities belong to all the residents of the state, not to those who are currently and temporarily employed there. This means that university officials cannot take a specific political stance on a contested issue when speaking in their official capacity. (They may, however, take a specific position when speaking as an individual scholar, not as a school official.) An example of this is the American College and University Presidents' Climate Commitment<sup>3</sup>, in which presidents of academic institutions signed onto a controversial political statement about climate change in their official capacities—a clear violation of institutional neutrality.

3. Second Nature "Climate Leadership Statement"; April 21, 2016.

Similarly, university boards and financial officers may not use the resources of the university for political reasons; this most commonly involves an investment strategy for the school's endowment. Those charged with investing a college or university endowment have a fiduciary duty to seek the highest returns. Recently, though, the University of North Carolina at Asheville divested part of its endowment from energy companies that produce fossil fuels and moved the money to more "socially responsible" investment funds.<sup>4</sup> That, too, was a violation of institutional neutrality.

Institutional neutrality also means schools may not compel officers, employees, or students to express specific opinions on political, intellectual, or social issues. An example is so-called "diversity statements," which require faculty and staff to express commitment to a politicized agenda of "diversity, equity, and inclusion."<sup>5</sup>

The principle of institutional neutrality is often unpopular within the academy, as many academics view it as an unnecessary and irrelevant barrier to their activist agenda. Yet, without it, academia's highest ideal—the spirit of free investigation—will be constrained and ignored by political agendas.

## Recommendations

**The Martin Center recommends** that colleges, universities, and legislatures adopt policies that take the following steps in order to establish and maintain institutional neutrality:

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4. Kurtz, S. "Fossil Fuel Divestment versus Institutional Neutrality: A North Carolina Test Case," National Review Online, July 29, 2019.

5. Oregon Association of Scholars, "The Imposition of Diversity Statements on Faculty Hiring and Promotion at Oregon Universities": A Report of the Oregon Association of Scholars, March 7, 2017.

### Universities should:

- Comply with the spirit of institutional neutrality laid down in the Kalven Report. These guidelines include:
  - Forbidding mandatory expression of specific beliefs on contested issues.
  - Forbidding mandatory compliance with specific beliefs on contested issues in classroom or workplace activities.
  - Forbidding the use of institution resources for ideological purposes, particularly the investment of the institutional endowment for ideological purposes.
  - Forbidding university officials from taking a specific political stance on a contested issue when speaking in their official capacity
- Conduct periodic reviews to ensure compliance with principles of institutional neutrality of the following:
  - The curriculum;
  - Policy documents, handbooks, guidelines, handbooks, and bylaws;
  - Institutional investing practices;
  - The hiring of faculty employees.
- End all mandatory courses, modules, trainings, and statements on ideological issues.
- Accurately report to the state legislature concerning all possible infringements of institutional neutrality.

### Model University Policy

Wisconsin Board of Regents, [Commitment to Academic Freedom and Freedom of Expression](#), Regent Policy Document 4-21 (2017).<sup>6</sup>

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6. See point number 6 of Wisconsin Board of Regents, [Commitment to Academic Freedom and Freedom of Expression](#).

## **Policymakers should:**

- Encode mandatory compliance with the principles of institutional neutrality outlined in the Kalven Report, including:
  - Forbidding mandatory compliance with specific beliefs on contested issues in classroom or workplace activities.
  - Forbidding mandatory expression of specific beliefs on contested issues.
  - Forbidding the use of institution resources for ideological purposes, particularly the investment of the institutional endowment for ideological purposes.
  - Forbidding university officials from taking a specific political stance on a contested issue when speaking in their official capacity
- Withhold appropriated funds for schools that persist with activities in violation of institutional neutrality.
- Mandate that public institutions and their governing bodies report annually about possible violations of institutional neutrality.
- Penalize institutions that fail to accurately report on violations of institutional neutrality.

## **Model Legislation**

[Campus Free Speech Act](#)<sup>7</sup> (Goldwater Institute Model Legislation)

## **Further Reading**

[Kalven Committee Report](#), University of Chicago

[Restoring Free Speech on Campus](#), Goldwater Institute

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7. Versions of the Campus Free Speech Act have been adopted in [North Carolina](#), [Georgia](#), [Arizona](#), and [Alabama](#).

## **For More Information**

For supplemental data or additional research on this topic, please contact the Martin Center by phone or email. You can reach us at 919-828-1400 or [info@jamesgmartin.center](mailto:info@jamesgmartin.center).

To read more from the Martin Center about the importance of viewpoint diversity, visit: <https://www.jamesgmartin.center/tag/institutional-neutrality-policy>

## **About the Martin Center**

The James G. Martin Center for Academic Renewal is a private nonprofit institute dedicated to improving higher education policy. Our mission is to renew and fulfill the promise of higher education in North Carolina and across the country.

We advocate responsible governance, viewpoint diversity, academic quality, cost-effective education solutions, and innovative market-based reform. We do that by studying and reporting on critical issues in higher education and recommending policies that can create change—especially at the state and local level.

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