American Academy of Nursing on Policy

Position Statement: Political Interference in Sexual and Reproductive Health Research and Health Professional Education

Diana Taylor, PhD, RNP, FAAN*; Ellen F. Olshansky, PhD, RN, WHNP-BC, FAAN*; Nancy Fugate Woods, PhD, RN, FAAN*; Versie Johnson-Mallard, PhD, ARNP, BC, FAANP, FAAN*; Barbara J. Safriet LLM, JD, FAAN*; Teresa Hagan, PhD, RN*

*Women's Health Expert Panel

Political interference in sexual and reproductive health research and health professional education threatens the health of women and men. The American Academy of Nursing strongly supports actions to prevent political interference by supporting academic freedom principles and policies in institutions of higher education generally, and in those offering instruction in nursing particularly.

Background

The American Academy of Nursing (Academy) has raised the voice of nursing in support of policies that ensure people’s access to sexual and reproductive health (SRH) services. Specific policies focus on the expansion of SRH clinical knowledge and evidence-based women’s preventive health services related to preventing unintended pregnancies in order to assure that all women’s health care, including abortion care, is grounded in scientific knowledge and evidence-based policies and standards of care.

Unfortunately, politicians across the country are pushing for laws and regulations that restrict ethical standards of care and impose politics and ideology on evidence-based clinical care as outlined by the recent policy report lead by a coalition of 24 nursing, medical, health and advocacy organizations. The Academy has responded to these threats of political interference with the patient-provider relationship, ethical and evidence-based standards of care, and women’s access to safe, quality sexual and reproductive health care, by:

- Participating in an Amicus Brief to the US Supreme Court opposing a deceptive Texas law requiring medically unnecessary restrictions on clinical practice: Read the Amicus brief of the American Nurses Association (ANA)/Academy and the Academy's press release from 6/27/16 applauding the SCOTUS decision to reject Texas HB2.
- Speaking out about how political interference with SRH care harms women: See article from the Academy's President Berkowitz, "Examining What’s at Stake: The Supreme Court, Nurses and Abortion Care Provision" published in Huffington Post Health (2/22/2016) and quotes from health professionals on political interference in clinical practice (Politics over quality health care.)
- Opposing political interference in the Title X Family Planning Program and fully supported proposed DHHS rules strengthening Title X regulations that align Title X requirements with established Medicaid/Medicare criteria for qualified providers based on professional and facility scope of practice and licensing. See President Obama’s approved new rules on 12/14/2016.

Now the Academy is focused on another threat—political interference with academic freedom, particularly SRH research and health professional education.

A case in Missouri highlights the most egregious political interference in academic freedom that threatens science, clinical training, and research. In September 2015, under pressure from Missouri politicians, the University of Missouri canceled ten contracts with Planned Parenthood eliminating clinical training for nursing and medical students in comprehensive SRH services including long-acting contraception methods and early abortion care. The University of Missouri thereafter ended admitting privileges for an OB-Gyn faculty member and a Planned Parenthood physician and attempted to stop a University of Missouri graduate student from continuing her dissertation research on the impact of a 72-hour waiting period on women considering abortions. In response to this abuse of power and threat to academic freedom, individuals from the Academy’s Women’s Health Expert Panel published a response in the Huffington Post
on November 13, 2015. Since this posting, growing national attention has brought issues regarding political interference in academic freedom to the forefront of the national conversation on SRH health care research, practice and the education of the next generation of health care providers.

In response to these threats, the Academy Board of Directors approved the development and affirmation of a position statement on Political Interference in SRH Research and Health Professional Education that follows.

**POSITION STATEMENT: Political Interference in Sexual and Reproductive Health (SRH) Research and Health Professional Education**

**Prevention of Political Interference Specific to SRH Research and Education**

*The American Academy of Nursing opposes attempts by politicians and/or academic administrators to regulate instruction and research related to sexual and reproductive health based on ideology rather than principles of academic freedom and practice or education standards related to sexual and reproductive health.* Specifically, the American Academy of Nursing:

- Opposes political interference in evidence-based sexual and reproductive health care, education and research;

- Opposes the harassment and censorship of students and their faculty advisors who seek to understand and study the impact of legislation and policies on individual and community health outcomes related to restriction of reproductive choice or SRH services;

- Supports university faculty and students’ freedom to 1) discuss issues of sexual and reproductive health and abortion in the classroom, and 2) provide instruction in clinical sites that provide a full range of sexual and reproductive health services;

- Supports faculty and students’ freedom to engage in scholarship and research activities related to sexual and reproductive health, including abortion; and

- Supports faculty and students’ freedom from restriction in pursuit of education and clinical training related to all evidence-based unintended pregnancy prevention and sexual and reproductive healthcare.

*The American Academy of Nursing supports the principles and practices of academic freedom in general, and specifically, as they apply to sexual and reproductive health research and health professional education including:*

- Supporting the definition of academic freedom as a university’s fundamental commitment that all members of an academic community have the broadest possible latitude to speak, write, listen, challenge and learn.

- Affirming that the intent of academic freedom to afford members of the academic community the broadest possible scope of unencumbered expression, investigation, analysis and discourse. Most academic institutions and faculty organizations have put into practice the individual and institutional responsibilities and rights to academic freedom to ensure that faculty and students will not experience political interference in research and education.

- Recognizing that academic freedom applies to the individuals and institutions through professional and legal principles, policies, opinions and laws developed by the American Association of University Professors (AAUP) and the American Association of Colleges and Universities and endorsed by over 200 scholarly and professional organizations. In addition to the professional standard of academic freedom, there is a substantial body of law that shapes faculty and institutional claims to academic freedom.

- Supporting principles and policies arising from the 1940 AAUP Statement and case law focused on faculty freedom from external (political) intrusion and institutional intrusion. The following fundamental academic freedom principles and policies are incorporated into hundreds of college and
university faculty handbooks (exemplars from public universities—University of Washington, University of California, University of Michigan; and a private university—University of Chicago) and form the basis for preventing political interference in SRH research and education.

- Debate and deliberation may not be suppressed because the ideas put forth are thought by some, or even most, members of the academic community to be offensive, unwise, immoral, or wrong-headed.

- Individual members of the university community, not the university as an institution, will make judgments and act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose.

- Fostering the ability of members of the university community to engage in debate and deliberation in an effective and responsible manner is an essential part of a university’s educational mission.

- Freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish. A university may restrict expression that violates the law, falsely defames a specific individual, constitutes a genuine threat or harassment, unjustifiably invades substantial privacy or confidentiality interests or is otherwise directly incompatible with the functioning of the university.

- The University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the university. These legitimate, but narrow, exceptions to the well-established general principle of freedom of expression must never be used as a pretense for eroding or obstructing free and open discussion of ideas.

**THE AMERICAN ACADEMY OF NURSING CALLS FOR:**

1) Professional organizations in nursing and other health care professions as well as organizations of academic communities to join in affirming the Statement on Political Interference in Sexual and Reproductive Health (SRH) Research and Health Professional Education,

2) The extension of the Academy’s position statement to bring attention to political interference in evidence-based SRH research and health professional education,

3) The publication of academic freedom principles and practice guidelines specific to SRH research and education using exemplary academic freedom codes from public and private colleges and universities.

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References

1940 Statement of Principles on Academic Freedom and Tenure, American Association of University Professors and of the Association of American Colleges.


The University of California (UC) statement on Academic Freedom emphasizes the role of academic freedom in protecting freedom of inquiry and research, freedom of teaching, and freedom of expression and publication as a basis for the university's ability to advance knowledge and transmit it effectively to students and to the public. In the UC System, academic freedom is defined as fostering a mature independence of mind in students.


Recognizing ‘nationwide events that have tested institutional commitments to free and open discourse,’ the University of Chicago formed The Committee on Freedom of Expression to draft principles that articulate “the University's overarching commitment to free, robust, and uninhibited debate and deliberation among all members of the University's community.” In 2015, the University of Chicago clarified its commitment to promote and protect free expression: members of the university community must act in conformity with the principle of free expression; members of the university community may contest views expressed on campus (or by invited campus guests); members of the university may not obstruct or otherwise interfere with the freedom of others to express views they reject or loathe.

University of Michigan Faculty Handbook, 1.C. Senate Assembly Statement on Academic Freedom https://www.provost.umich.edu/facultyhandbook/1/1.C.html

The University of Michigan Faculty Handbook emphasizes the influence of the normative structure of disciplines and professions as a basis for faculty practicing their scholarly profession. Michigan further asserts that academic freedom exists “independent of any external protection ... as a basic prerequisite for universities to fulfill their mission,” a professional prerequisite of faculty members.
as a group. Michigan views academic freedom as including freedom of research and publication; freedom of teaching; freedom of internal criticism; and freedom of participation in public debate.

University of Washington Faculty Code, Section 24-33, “A Statement of Principle: Academic Freedom and Responsibility” Approved by: Senate Executive Committee October 7, 2013; Faculty Senate October 24, 2013; Senate Executive Committee November 18, 2013; Faculty Senate December 5, 2013; Certified by Jack Lee, Chair, Faculty Senate 1/9/2014; President Michael Young January 8, 2014

The University of Washington Faculty Code is extensive and specific in stipulating the responsibilities and rights of students, faculty members, administrators, and trustees related to academic freedom and the right to speak or write without institutional discipline or restraint on matters of public concern and matters related to shared governance and the general welfare of the University.

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1 A Committee on Academic Freedom and Academic Tenure of the American Association of University Professors (AAUP) formulated a statement of principles on academic freedom and academic tenure known as the 1915 Declaration of Principles, was officially endorsed by the Association at its Second Annual Meeting held in Washington, D.C., December 31, 1915, and January 1, 1916. In 1925, the American Council on Education called a conference of representatives of a number of its constituent members, among them the American Association of University Professors, for formulating a shorter statement of principles on academic freedom and tenure. The Association of American Colleges (now the Association of American Colleges and Universities) endorsed the statement formulated at this conference, known as the 1925 Conference Statement on Academic Freedom and Tenure, in 1925 and by the American Association of University Professors in 1926.

Further interpretations, adopted as footnotes to this statement by the Council of the American Association of University Professors in April 1970, asserted, “Academic freedom is essential to these purposes and applies to both teaching and research”. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning."

2 University of Washington Faculty Code, Section 24-33, “A Statement of Principle: Academic Freedom and Responsibility” Approved by: Senate Executive Committee October 7, 2013; Faculty Senate October 24, 2013; Senate Executive Committee November 18, 2013; Faculty Senate December 5, 2013; Certified by Jack Lee, Chair, Faculty Senate 1/9/2014; President Michael Young January 8, 2014.

The University of Washington Faculty Code (UW Code) is an exemplar for enacting academic freedom principles. The UW Code emphasizes that the academic community -- students, faculty members, administrators, and trustees— is obligated “to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus.”

Expression of dissent and attempts to produce change may not be enacted in ways that “injure individuals and damage institutional facilities or disrupt the classes of one’s instructors or colleagues”. Further, campus speakers must be protected from violence and given an opportunity to speak. Those seeking to call attention to grievances may not significantly impede the university’s functions.

The UW Code stipulates that faculty’s exercise of constitutionally protected freedom of association, assembly, and expression, including participation in political activities, does not constitute a violation of duties to the University, to their profession, or to students and may not result in disciplinary action or adverse merit evaluation. In addition to defining the right to academic freedom, the University of Washington stipulates faculty responsibilities, including responsibility to “present the subject matter of their courses as approved by the faculty in their collective responsibility for the curriculum. Within the approved curriculum, faculty members are free to express ideas and teach as they see fit based on their mastery of their subjects and their own scholarship. In addition, the UW Code stipulates institutional responsibilities to academic freedom; that both faculty and students be entitled to “an atmosphere conducive to learning and to evenhanded treatment in all aspects of the instructor-student relationship.” Faculty members have obligations to respect the freedoms of students, meaning that faculty may not refuse to enroll or teach students because of the student’s beliefs or the possible applications that students may make of knowledge gained in a course. In addition, the code asserts that students will not be forced by the authority of the faculty to make particular political choices or their roles in society. Further, evaluation of students and the award of credit must be based on their academic performance judged professionally and not on matters such as” personality, sexual orientation, or sexual, romantic, familial, or other personal relationships.”
Although most universities today accept the principles of academic freedom, tensions exist between individual and institutional academic freedom under the First Amendment that challenge the professions, the AAUP, colleges and universities and courts. Clearly, the scope of institutional academic freedom between private (especially religiously affiliated) and public sector institutions has tested individual faculty and student freedoms and the four essential freedoms of a university—to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study. [see University of Chicago reference to Freedom of Expression policy, 2015]

Partial list of the relevant organizations for the Academy to work with on endorsing this statement: National League for Nursing, American Association of Colleges of Nursing, American Association of University Professors, American Association of University Women, Association of Reproductive Health Professionals, National Partnership for Women and Families, National Women’s Law Center