

The issue of First Amendment protection for individual academic freedom represents a long contested issue. Debate and uncertainty over constitutional protection for individual academic freedom only increased in the aftermath of the Supreme Court's decision in *Garcetti v. Ceballos*, and several lower federal courts have unflinchingly applied its standards to faculty speech. This article suggests that courts should view the academic freedom policies adopted by the overwhelming majority of public colleges and universities as defining the employment duties of faculty members to speak as independent voices for First Amendment purposes. These almost universally adopted policies provide a basis to define faculty employment responsibilities and related speech as beyond the purview of *Garcetti* in such areas as teaching, scholarship, and intramural matters.