



**DEPARTMENT OF THE NAVY**

OFFICE OF THE PROVOST  
UNITED STATES NAVAL ACADEMY  
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PROVOSTINST 1531.22B  
VPAA  
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PROVOST INSTRUCTION 1531.22B

From: Provost, U.S. Naval Academy

Subj: CONTENT ISSUES IN TEACHING

Ref: (a) American Association of University Professors, Policy Documents and Reports,  
Twelfth Edition  
(b) DoD Instruction 1350.02 of 4 September 2020  
(c) OPNAVINST 5354.1J

1. Purpose. Faculty members have considerable latitude in how they teach and in the materials they choose to present their subjects. On occasion, course content may be regarded as offensive by some midshipmen, or faculty members themselves may object to certain topics or materials. Above all, the relationship established in classrooms between instructors and midshipmen must foster the end goal of graduating leaders that are selfless, inspirational, proficient, innovative, articulate, adaptable, and professional. Critical thought is fundamental in this regard, but this can present challenges that must be addressed with good judgment and a collective understanding of regulations and policies. The intent of this instruction is to assist in establishing that shared understanding in support of the U.S. Naval Academy (USNA) mission. This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. PROVOSTINST 1531.22A

3. Scope and Applicability. This instruction applies to all academic faculty and staff and midshipmen.

4. Background

a. Circumstances that involve questions about the appropriateness of teaching or the use of teaching materials most often arise when the instruction or the materials used in a course challenge or conflict with an individual's view of the world. In any academic discipline, it is possible that such questions may manifest during a class discussion or result from a particular course assignment.

b. Academic Freedom. Academic freedom is a hallmark of an academic institution that values excellence in scholarship, free inquiry, and open discourse. Reference (a) provides a definition of academic freedom and a discussion of responsibilities attendant upon its exercise.

(1) A broad and well-rounded educational program such as the one that the USNA seeks to provide its midshipmen will expose students, at times, to controversial ideas and images, challenge strongly held beliefs or value systems, or touch on sensitive areas. Indeed, it is not an uncommon pedagogical practice for an instructor to adopt an alternative, unusual, or unpopular stance to provoke discussion or to encourage students to analyze their own views or to assess the basis of their values.

(2) USNA has never imposed any test of propriety, ideology, or religion on its faculty or the academic program it offers. To do so would deny its faculty and its students the appropriate academic freedom necessary to explore, to teach, and to learn. Instead, the Naval Academy has relied upon the good judgment and awareness of its faculty to be reasonable and to appreciate and respect the sensibilities of its midshipmen.

(3) Academic freedom is not a faculty member's license to say or do anything without restriction. Faculty members may be provocative. They are entitled to express their opinions and offer their scholarly views on the subject matter they teach, but they are also expected to treat their students with dignity and respect. Especially in their interactions with students, faculty members are expected to show respect for the opinions of others, to model civil discourse, and to comport themselves appropriately as members of a learned profession and as officers of an educational institution.

c. Individual Rights. The rights of individuals who work for the Department of Defense and the Department of the Navy are safeguarded by regulations such as are found in references (b) and (c). In particular, reference (c), which derives from reference (b), proscribes hostile work environments, defining the term as follows: "An environment which prevents members from functioning to their full capacity, free of harassment and prohibited discrimination. A hostile work environment unreasonably interferes with an individual's work performance. It need not result in concrete psychological harm to the victim but need only be perceived by a reasonable person and is perceived by the victim as hostile or offensive." This definition involves the perception of the individual as well as another party, the reasonable person. The reasonable person standard is defined in the same reference: "An objective test used to determine if behavior meets the legal test for harassment or prohibited discrimination. The test requires a hypothetical exposure of a reasonable person to the same set of facts and circumstances as reported in the complaint. The reasonable person standard considers the complainant's perspective and does not rely upon stereotyped notions of acceptable behavior within that particular work environment."

## 5. Action

### a. Faculty members

(1) Instructors should be knowledgeable about the teaching materials in their courses and ensure these materials comply with all Executive Orders.

(2) Instructors teaching in multi-instructor courses are free to use alternate materials if they are personally offended by materials selected by others, such as course coordinators. Naturally, the alternate materials chosen should meet the course objectives as determined by the department offering the course.

(3) Instructors should take special care when there is a single student in a section who is the sole representative of a larger social group being depicted or discussed.

(4) Instructors whose students indicate that they may or do find a particular item difficult to deal with should treat these students with respect. Working together, instructors and students should be able to come up with a mutually acceptable solution without sacrificing the principles of academic freedom or the educational goals the instructors have set.

b. Midshipmen. It is the purpose of an education to expand one's knowledge and to explore ideas that may be foreign or unusual. Learning is not always comfortable. In the course of their time at the Naval Academy, midshipmen are likely to encounter ideas or images or behaviors they do not like or approve of or with which they disagree. All midshipmen are expected to approach their education with an open mind. This regulation is not intended to afford midshipmen the option of choosing not to confront the undesirable, the unpleasant, or the unfamiliar. Rather, its focus is on the relatively rare occasions when a midshipman is faced with material that is fundamentally offensive and creates for this midshipman an environment that seriously stifles learning.

c. Resolution. If a midshipman feels that an instructor's treatment of a subject or use of materials is highly offensive and has created an environment that is hostile, the midshipman should first consider discussing the matter with the instructor. If a faculty member teaching a course feels that certain content or materials used in the course are inappropriate, the faculty member should seek accommodation with colleagues teaching the course. If the midshipman or faculty member feels that this cannot be done or, having done so, no satisfactory resolution has been found, the midshipman or faculty member should seek redress by making use of the academic chain of command: department chair, associate dean, school dean, and Provost. In seeking a resolution, the department chair may form an ad hoc committee of faculty that may choose to solicit midshipman opinion to assess the reasonableness of the requirement or to seek an accommodation. Every effort should be made to seek resolution at the lowest level possible.

## 6. Records Management

a. Records created as a result of this notice, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the DON Assistant for Administration, Directives and Records Management Division portal page at [https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-InformationManagement/ Approved%20Record%20Schedules/Forms/AllItems.aspx](https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-InformationManagement/Approved%20Record%20Schedules/Forms/AllItems.aspx).

b. For questions concerning the management of records related to this notice or the records disposition schedules, please contact your local records custodian or the USNA Records Manager.

7. Review and Effective Date. Per OPNAVINST 5215.71A, the Vice Provost for Academic Affairs will review this instruction annually on the anniversary of the issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or canceled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5214.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

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Releasability and distribution:

This instruction is cleared for public release and is available electronically only via the Provost Instructions website:

<https://www.Usna.edu/Academics/Provost/RulesRegulations/Instructions.php>