

Article 9: Academic Freedom

9.01 PREAMBLE: As the Supreme Court said in *Keyishian v. Board of Regents* 385 U.S. 589 (1967), “Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom.”

9.02 NECESSITY: *Santa Rosa Junior College’s mission is to promote student learning throughout our diverse communities by increasing the knowledge, improving the skills, and enhancing the lives of those who participate in our programs and enroll in our courses. AFA and the District recognize that protecting academic freedom is essential to achieve this mission.* AFA and the District *further* recognize that academic freedom is included within the freedom of expression and is necessary to the pursuit of truth. These freedoms are ~~irreplaceable~~ *essential* elements of the faculty teaching experience and the student learning experience in the ~~California Community Colleges~~ *District*. ~~Though tenure has historically helped to ensure these freedoms, all faculty members—regular, probationary, temporary and adjunct, tenured or non-tenured—shall enjoy the protections offered by this Article.~~

9.03 CONTEXT: Academic freedom as a form of freedom of expression shall exist within the general framework of the United States Constitution, the California State Constitution, requirements of the California Education Code, California Community College regulations, *Board Policy of the District*, and official course descriptions. *This Academic freedom and freedom of expression shall be maintained in all media (printed, oral, visual, and electronic) and in all interactions with among and between students, faculty, staff, and administration. Though tenure has historically helped to ensure these freedoms, all faculty members — regular, probationary, temporary and adjunct, tenured or non-tenured — shall enjoy the protections offered by this article. No faculty member shall be mistreated, disciplined, reassigned, or have his/her assignment terminated for any reason that violates the protections in this article.*

9.04. ADMINISTRATIVE AND STAFF PERSONNEL: *This article shall apply to any administrative or staff personnel who also hold a faculty position, but only in their capacity as faculty members.*

9.04 9.05 ACADEMIC FREEDOM AND RESPONSIBILITY: *All faculty members shall be free to pursue instruction, grading, scholarship, policy discussions, and public discourse in an environment free of intimidation and censorship. The merit of academic ideas, theories, arguments, and views shall be measured solely against the standards of relevant academic and professional disciplines. With the exercise of academic freedom come corresponding responsibilities. All faculty members shall exercise their academic freedom in a manner that promotes the District’s mission.*

- A. **Inquiry and Instructional Freedoms:** Academic freedom as a form of freedom of expression includes freedom of inquiry and instruction for every faculty member, including freedom in presenting and discussing subjects *related to his/her academic discipline*. Academic freedom also includes, but is not limited to, freedom to:
1. *Inquire about, present, and explore and teach difficult and controversial material within that is relevant to the official course descriptions outline of record;*
 2. *Express differences of opinion with and among students, faculty, staff, and administration on academic matters;*
 2. ~~model and encourage critical thinking, foster and defend intellectual honesty;~~
 3. *Demonstrate, teach, and defend critical thinking skills and intellectual honesty; and*
 3. ~~present all viewpoints in the teaching and learning process; and~~
 4. *Teach in an environment free of intimidation and censorship.*
 4. ~~express differences of opinion and interact with students, faculty, staff, and administration in an environment free of intimidation and censorship.~~
- B. *Grading: Every faculty member shall maintain the exclusive authority to determine grades based upon professional judgment. The determination of the student's grade shall be made by the course instructor and—in the absence of mistake, fraud, bad faith, unlawful discrimination, or incompetence—shall be final. Every faculty member has a responsibility to base grades solely on considerations that are intellectually relevant to the subject matter as articulated in the official course outline of record, and to describe the basis for grading in the class syllabus.*
- C. *Campus Events: Every faculty member shall have the freedom to organize or participate in campus events and the responsibility to do so in a manner that is consistent with the District's mission and the standards or relevant academic and/or professional disciplines. The merit of each event and its participants shall be measured solely against the District's mission and the standards of relevant academic and professional disciplines. The District retains the right to determine the time, place, and manner for the scheduling of events.*
- D. *Scholarship: Every faculty member is a member of a learned profession and shall have the freedom to use his/her professional scholarship, and present this scholarship in any academic discourse.*
- E. *Policy and Procedures: Faculty members will observe the stated policies and procedures of the District, provided those policies and procedures do not contravene academic freedom; however, they maintain their right to express differences of opinion and seek revision.*
- F. *Public Discourse: The District recognizes the right of faculty to speak or write as citizens. When faculty members speak or write as citizens, they should be free of censorship or discipline. They should make every effort to indicate that they are not speaking for the institution (American Association of University Professors' Principles of Academic Freedom).*

~~**B. Inquiry and Instructional Responsibilities:** With the exercise of these freedoms comes the responsibility of considering controversial issues objectively and acknowledging the existence of, and showing respect for, opposing opinions. Every faculty member also has the responsibility of making clear what is personal opinion and what is considered general knowledge.~~

~~**C. Freedom to Exercise Assignment Responsibilities:** Every faculty member shall have the freedom to exercise the responsibilities inherent in his/her assignments and as described in the Regular, Probationary, Temporary, Adjunct Faculty, and Department Chair Job Descriptions (See Article 17).~~

~~**D. Freedom in Scholarship and Environment:** Every faculty member is a member of a learned profession and shall have academic freedom in pursuit and expression of his/her personal scholarship, and in the teaching-learning environment.~~

~~**E. Freedom to Express Differences:** Academic freedom as a form of freedom of expression includes the right to express differences of opinion regarding interpretation of Program, Department, and/or College/District policies. Such differences of opinion are to be expected in an academic environment and shall not result in the mistreatment, disciplining, or reassignment of faculty members.~~

~~**F. Academic Freedom for Students:**~~

- ~~1. Academic freedom as a form of freedom of expression also exists for students and includes, but is not limited to, freedom to:
 - a. inquire;
 - b. access the full range of information available;
 - c. explore difficult and controversial material;
 - d. express differing opinions;
 - e. develop and practice critical thinking skills;
 - f. defend intellectual honesty; and
 - g. learn in an environment free of intimidation and censorship.~~
- ~~2. Maintaining these reciprocal freedoms for students is the responsibility of every faculty member.~~

~~**9.05 GRADING:** Every faculty member shall maintain the exclusive right and responsibility to determine grades based upon professional judgment. The determination of the student's grade shall be made by the course instructor and — in the absence of mistake, fraud, bad faith, unlawful discrimination, or incompetence — shall be final.~~

~~**9.06 FACULTY AS MEMBERS OF THE PUBLIC:** Every faculty member is a member of the public. When a faculty member speaks or writes as a member of the public, he/she may be identified as an employee of the College/District, but shall not construe him/herself to be a representative of the College/District and shall be free from institutional censorship or obligations.~~

9.06 GRIEVANCE PROCESS:

- A. **Right to Pursue.** *Any faculty member who believes his/her academic freedom has been violated by the District has the right to pursue conciliation, grievance, or arbitration as described in Article 11. There shall be no reprisals of any kind taken against any participants or representatives because of participation in a conciliation, grievance, or arbitration.*
- B. **Initiating the Process.** *Any faculty member who thinks that his/her academic freedom is being threatened by student(s), faculty or staff, other organizations, or by members of the public should contact either the Academic Senate or AFA. Either the Academic Senate president or the AFA president can request and will be granted a timely meeting with appropriate academic administrators and/or the superintendent/president of the District to discuss how to best assure and protect academic freedom.*

9.07 DISTRICT SUPPORT: The District shall actively support the principles of academic freedom enunciated herein. *(See also Board Policy 2.7: Discrimination and Complaint; Board Policy 3.10 and 3.10P: Grading; and Board Policy 4.14a and 4.14aP: Employee Conduct.)*