

ARTICLE 5
ACADEMIC FREEDOM & RESPONSIBILITY
[AMENDED AUGUST 2019]

- 5.1 Policy. It is the policy of the University and the UFF to maintain, encourage, and protect academic freedom. Academic freedom is essential to the University. It includes both freedom of thought and expression, and it applies to teaching, research/creative activities, and professional, public, and University service. Academic freedom is accompanied by corresponding faculty and administration responsibilities, arising from the nature of the educational process.

In order to ensure an atmosphere of academic freedom within the University neither the University administration nor its representatives shall violate any faculty member's academic freedom or penalize a faculty member for the legitimate exercise of academic freedom, either in the performance of University duties or activities outside the University. Moreover, the University recognizes that internal and external forces may seek at times to restrict academic freedom, and the University shall protect and promote academic freedom.

- 5.2 Academic Freedom. Faculty members shall be free to discuss topics relevant to the course's subject matter in the classroom; to explore all avenues of scholarship, research, and creative expression, and; to speak freely on all matters of university governance without fear of University censorship, retaliation, or discipline.

- (a) Teaching and Research/Creative Activities. Faculty members shall have the freedom to:
1. Present and discuss, frankly and forthrightly, academic subjects, including controversial material relevant to the academic course being taught.
 2. Select instructional materials consistent with university regulations and policies and define course content within general department guidelines, course schedules, and course delivery modalities, and holding consistent academic standards regarding the student learning outcomes as set by the curriculum. In situations where there are multiple sections of the same course, department faculty have the responsibility to select a uniform text book as a group. In the event the department faculty are unable to do so, or desire to utilize differing textbooks, prior authorization from the Provost or designee is required. Special topics classes are excluded from this requirement.
 3. Determine grades. Grading standards must reflect general department guidelines, and must be substantially similar for multi-section courses. The grade a current faculty member has determined for a student's performance shall not be changed without the full-time faculty member's consent, except by the current University academic appeals process.
 4. Freely engage in scholarly, research, and creative activity, and publish the results.

- (b) Service. Service includes, but is not limited to, participation in governance processes of the University, which is a fundamental aspect of academic freedom. Faculty members shall have freedom to present ideas and discuss, frankly and in a forthright manner, academic policy, University governance, or other matters pertaining to the University.
- (c) As to matters outside the area of the faculty member's scholarly interest, the faculty member has the right to enjoy the same freedoms as other individuals, including political rights and privileges, without fear of institutional censorship or discipline.
- (d) All rights and responsibilities provided in this Article shall extend to all bargaining unit members, regardless of whether their primary assignments include teaching and research.

5.3 Academic Responsibility of Faculty Members. Academic freedom is accompanied by corresponding faculty responsibilities. Academic responsibility implies the competent performance of academic duties and obligations and the commitment to support the responsible exercise of academic freedom by others. Members of the faculty have a responsibility to:

- (a) Observe and uphold ethical standards in the pursuit and communication of scientific and scholarly knowledge as well as in their teaching and service duties;
- (b) Refrain from using the classroom to promote a personal, political, or other agenda that is not related to the instructional activity of the class;
- (c) Provide course-level instruction designed to achieve that course's student learning outcomes, support applicable program competencies, and, to the degree relevant, prepare students for subsequent courses in the applicable program's plan of study;
- (d) Treat students, staff, and colleagues fairly and civilly in discharging one's duties as teacher, researcher, and intellectual mentor, in a manner consistent with the provisions of this Agreement and University regulations and policy;
- (e) Avoid any exploitation of other people for private advantage and treat them in a manner consistent with the provisions of this Agreement and University regulations and policy;
- (f) Respect the integrity of the evaluation process, including the privacy rights of students under law, and evaluate students, staff, and colleagues fairly according to the criteria and procedures specified in the evaluation process;
- (g) Represent one's self as a spokesperson for the University only when specifically authorized to do so;
- (h) Participate, as appropriate, in the system of shared academic governance, especially at the department/unit level;
- (i) Observe the published University regulations, provided the regulations do not contravene this Agreement, academic freedom, or the faculty member's right to criticize or seek revision of those duties, laws, regulations, policies, or procedures.

- (j) Refrain from engaging in a pattern of behavior that disrupts or obstructs the orderly and effective functioning of the department, college, or University. This section shall not be construed or used to inhibit vigorous and tough-minded academic disagreements which are a vital aspect of academic freedom or the right to free expression and thought, on or off campus. A pattern of disruptive or obstructive behavior must be supported by documentation. Academic freedom is accompanied by corresponding responsibilities, including the duty to exercise appropriate restraint and to show appropriate respect for the right of others to hold differing opinions. Consequently, while academic disagreements are part of the orderly functioning of a university, appropriate constructive cooperation is also critical to the faculty member's effective performance as a member of the academy.

5.4 Academic Responsibility of the Board and the University Administration. Academic freedom is accompanied by corresponding responsibilities of the Board and the University Administration. Academic responsibility implies the competent performance of duties and obligations and a commitment to actively foster within the University a climate favorable to the responsible exercise of academic freedom. Therefore, it is the responsibility of the Board and the University Administration to:

- (a) Maintain, encourage, protect and promote the faculty's academic freedom so that it is not compromised by harassment, censorship, reprisals, or prohibited discrimination.
- (b) Ensure that the faculty's academic freedom, to include freedom of thought and expression as guaranteed under the First Amendment of the Constitution of the United States of America, is not stifled or compromised.
- (c) Treat faculty members, students, and staff in a manner consistent with the provisions of this Agreement.
- (d) Respect the integrity of the evaluation process, including the privacy rights under law, and fairly evaluate faculty according to the criteria and procedures specified in the evaluation process.
- (e) Respect and adhere to the principles of shared governance.
- (f) Observe the published University regulations, provided that the regulations do not contravene academic freedom, which includes the faculty member's right to responsibly criticize and seek revision of the regulations.
- (g) Refrain from engaging in behavior that directly undermines academic freedom and freedom of thought and expression as described in this regulation, or otherwise disrupts or obstructs the orderly and effective functioning of the department, college, or University.
- (h) Prohibit unauthorized persons from entering or interrupting a faculty member's classroom or laboratory, except with prior permission from the responsible faculty member or during legitimate emergencies. The University shall support the authority of each faculty member to have unauthorized persons removed from the faculty member's classroom/laboratory. This provision shall not apply to administrators who are responsible for evaluating the faculty member. At the faculty member's request, University Administration shall take appropriate action to enforce this provision.

- (i) Prohibit disruptive behavior, including: (1) behavior that involves violence against faculty, staff or students; (2) threat(s) or instigation of violence; (3) malicious vandalism; (4) possession of weapons of any type; (5) willful disregard of legitimate directions; (6) continued use of abusive language or gestures; (7) or other behavior that is unruly, disruptive, harassing, or abusive so that it seriously interferes with the faculty member's ability to effectively communicate with other students in the class or with the ability of the student's classmates to learn, or with the normal and orderly conducting of the University's business. The University shall support the authority of each faculty member to have disruptive persons removed from the faculty member's classroom/laboratory or the campus.
 - 1. Upon receiving a report of disruptive behavior, the University shall act promptly to investigate and resolve the matter. Faculty may request that a disruptive individual be barred from returning to the classroom. If the University declines such a request, the University shall take appropriate alternative action that ensures against a recurrence of the disruptive behavior and shall inform the faculty member.
 - 2. A faculty member shall not be disciplined for taking reasonable action in self-defense or in defense of others.