

ARTICLE 5
ACADEMIC FREEDOM AND RESPONSIBILITY

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.

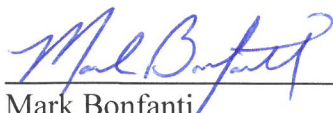
5.2 Academic Freedom. Faculty members shall be free to discuss topics relevant to the course’s subject matter in the classroom, to explore all avenues of scholarship, research, and creative expression, to speak freely on all matters of university governance without fear of University censorship, retaliation,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

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34 (3) Determine grades. Grading standards must reflect general department guidelines,
35 and must be substantially similar for multi-section courses. The grade a current
36 faculty member has determined for a student’s performance shall not be changed
37 without the full-time faculty member’s consent, except by the current University
38 academic appeals process.

39
40 (4) Freely engage in scholarly, research, and creative activity, and publish the results.

41
42 (b) Service. Service includes, but is not limited to, participation in governance processes of the
43 University, which is a fundamental aspect of academic freedom. Faculty members shall
44 have freedom to present ideas and discuss, frankly and in a forthright manner, academic
45 policy, University governance, or other matters pertaining to the University.

46
47 (c) As to matters outside the area of the faculty member’s scholarly interest, the faculty
48 member has the right to enjoy the same freedoms as other individuals, including political
49 rights and privileges, without fear of institutional censorship or discipline.

50
51 (d) All rights provided in this Article shall extend to all bargaining unit members, regardless
52 of whether their primary assignments include teaching and research.

53 5.3 Academic Responsibility of Faculty Members. Academic freedom is accompanied by
54 corresponding faculty responsibilities. Academic responsibility implies the competent
55 performance of academic duties and obligations and the commitment to support the responsible
56 exercise of academic freedom by others. Members of the faculty have a responsibility to:

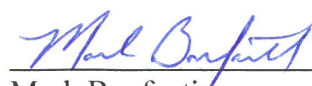
57 (a) Observe and uphold ethical standards in the pursuit and communication of scientific and
58 scholarly knowledge as well as in their teaching and service duties;

59
60 (b) Refrain from using the classroom to promote a personal, political, or other agenda that is
61 not related to the instructional activity of the class;

62 (c) Provide course-level instruction designed to achieve that course’s student learning
63 outcomes, support applicable program competencies, and, to the degree relevant, prepare
64 students for subsequent courses in the applicable program’s plan of study;
65

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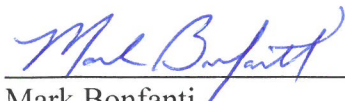
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- 66 (d) Treat students, staff, and colleagues fairly and civilly in discharging one’s duties as teacher,
67 researcher, and intellectual mentor, in a manner consistent with the provisions of this
68 Agreement and University regulations and policy;
- 69
- 70 (e) Avoid any exploitation of other people for private advantage and treat them in a manner
71 consistent with the provisions of this Agreement and University regulations and policy;
- 72
- 73 (f) Respect the integrity of the evaluation process, including the privacy rights of students
74 under law, and evaluate students, staff, and colleagues fairly according to the criteria and
75 procedures specified in the evaluation process;
- 76
- 77 (g) Represent one self as a spokesperson for the University only when specifically authorized
78 to do so;
- 79
- 80 (h) Participate, as appropriate, in the system of shared academic governance, especially at the
81 department/unit level;
- 82
- 83 (i) Observe the published University regulations, provided the regulations do not contravene
84 this Agreement, academic freedom, or the faculty member’s right to criticize or seek
85 revision of those duties, laws, regulations, policies, or procedures.
- 86
- 87 (j) Refrain from engaging in a pattern of behavior that disrupts or obstructs the orderly and
88 effective functioning of the department, college, or University. This section shall not be
89 construed or used to inhibit vigorous and tough-minded academic disagreements which are
90 a vital aspect of academic freedom or the right to free expression and thought, on or off
91 campus. A pattern of disruptive or obstructive behavior must be supported by
92 documentation. Academic freedom is accompanied by corresponding responsibilities,
93 including the duty to exercise appropriate restraint and to show appropriate respect for the
94 right of others to hold differing opinions. Consequently, while academic disagreements are
95 part of the orderly functioning of a university, appropriate constructive cooperation is also
96 critical to the faculty member’s effective performance as a member of the academy.

97 5.4 Academic Responsibility of the Board and the University Administration. Academic freedom
98 is accompanied by corresponding responsibilities of the Board and the University
99 Administration. Academic responsibility implies the competent performance of duties and

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100 obligations and a commitment to actively foster within the University a climate favorable to
101 the responsible exercise of academic freedom. Therefore, it is the responsibility of the Board
102 and the University Administration to:

103 (a) Maintain, encourage, protect and promote the faculty’s academic freedom so that it is not
104 compromised by harassment, censorship, reprisals, or prohibited discrimination as defined
105 in Article __, Nondiscrimination.
106

107 (b) Ensure that the faculty’s academic freedom, to include freedom of thought and expression
108 as guaranteed under the First Amendment of the Constitution of the United States of
109 America, is not stifled or compromised.
110

111 (c) Treat faculty members, students, and staff in a manner consistent with the provisions of
112 this Agreement.
113

114 (d) Respect the integrity of the evaluation process, including the privacy rights under law, and
115 fairly evaluate faculty according to the criteria and procedures specified in the evaluation
116 process.
117

118 (e) Respect and adhere to the principles of shared governance.
119

120 (f) Observe the published University regulations, provided that the regulations do not
121 contravene academic freedom, which includes the faculty member’s right to responsibly
122 criticize and seek revision of the regulations.
123

124 (g) Refrain from engaging in behavior that directly undermines academic freedom, and
125 freedom of thought and expression as described in this regulation or otherwise disrupt or
126 obstruct the orderly and effective functioning of the department, college, or University.
127

128 (h) Prohibit unauthorized persons from entering or interrupting a faculty member’s classroom
129 or laboratory, except with prior permission from the responsible faculty member or during
130 legitimate emergencies. The University shall support the authority of each faculty member
131 to have unauthorized persons removed from the faculty member’s classroom/laboratory.
132 This provision shall not apply to administrators who are responsible for evaluating the

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133 faculty member. At the faculty member’s request, University Administration shall take
134 appropriate action to enforce this provision.
135

136 (i) Prohibit disruptive behavior, including: (1) behavior that involves violence against faculty,
137 staff or students; (2) threat(s) or instigation of violence; (3) malicious vandalism; (4)
138 possession of weapons of any type; (5) willful disregard of legitimate directions; (6)
139 continued use of abusive language or gestures; (7) or other behavior that is unruly,
140 disruptive, harassing, or abusive so that it seriously interferes with the faculty member’s
141 ability to effectively communicate with other students in the class or with the ability of the
142 student’s classmates to learn, or with the normal and orderly conducting of the University’s
143 business. The University shall support the authority of each faculty member to have
144 disruptive persons removed from the faculty member’s classroom/laboratory or the campus.
145

146 (1) Upon receiving a report of disruptive behavior, the University shall act promptly to
147 investigate and resolve the matter. Faculty may request that a disruptive individual
148 be barred from returning to the classroom. If the University declines such a request,
149 the University shall take appropriate alternative action that ensures against a
150 recurrence of the disruptive behavior and shall inform the faculty member.
151

152 (2) A faculty member shall not be disciplined for taking reasonable action in self-
153 defense or in defense of others.

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