

1 **ARTICLE 5**  
2 **ACADEMIC FREEDOM AND RESPONSIBILITY**

3 5.1 Policy. It is the policy of the University and the UFF to maintain, encourage, and protect  
4 academic freedom. Academic freedom is essential to the University. It includes both freedom  
5 of thought and expression, and it applies to teaching, research/creative activities, and  
6 professional, public, and University service. Academic freedom is accompanied by  
7 corresponding faculty and administration responsibilities, arising from the nature of the  
8 educational process.

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

15 5.2 Academic Freedom. Faculty members shall be free to discuss topics relevant to the course's  
16 subject matter in the classroom, to explore all avenues of scholarship, research, and creative  
17 expression, to speak freely on all matters of university governance without fear of University  
18 censorship, retaliation, or discipline.

19 (a) Teaching and Research/Creative Activities. Faculty members shall have the freedom to:

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21 (1) Present and discuss, frankly and forthrightly, academic subjects, including  
22 controversial material relevant to the academic course being taught.

23  
24 (2) Select instructional materials consistent with university regulations and policies  
25 and define course content within general department guidelines, course schedules,  
26 and course delivery modalities, and holding consistent academic standards  
27 regarding the student learning outcomes as set by the curriculum. ~~In situations~~  
28 ~~where there are multiple sections of the same course, department faculty have the~~  
29 ~~responsibility to make general material and textbook decisions as a group. However,~~  
30 ~~and unless prior written authorization is granted by the Provost, all faculty members~~  
31 ~~teaching a section of a multiple section course in a given semester must agree upon~~  
32 ~~the instructional materials and course content as a group. This is to ensure that~~  
33 ~~identical materials are being utilized, and nearly identical content is being taught,~~  
34 ~~in all sections of the same course during a particular semester.~~

35  
36 (3) Determine grades. Grading standards must reflect general department guidelines.  
37 The grade a current faculty member has determined for a student's performance  
38 shall not be changed without the faculty member's consent, except by the current  
39 University academic appeals process. Grading standards set in course syllabi and  
40 applied to the grades given within multiple section courses must be substantially

~~consistent for the range of sections deliver must reflect general department guidelines.~~

~~(1)~~(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.~~

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

~~5.3~~ 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 the ethical standards of ~~their disciplines~~the University, in the pursuit and communication of scientific and scholarly knowledge as well as in their teaching and service duties;

~~Refrain from using the classroom to promote a personal, political, or other agenda that is not related to the instructional activity of the class;~~

(b) 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;

~~(a)~~

(c) Treat students, staff, and colleagues fairly and civilly in discharging one's duties as teacher, researcher, and intellectual mentor. Avoid any exploitation of such persons for private advantage and treat them in a manner consistent with the provisions of the ~~article~~University Regulation ~~article~~ on nondiscrimination;

(d) 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;

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83 (b)(e) Represent one self as a spokesperson for the University only when specifically  
84 authorized to do so;

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86 (e)(f) Participate, as appropriate, in the system of shared academic governance, especially  
87 at the department/unit level;

88  
89 (d)(g) Observe the published University regulations, provided the regulations do not  
90 contravene this Agreement, academic freedom, or the faculty member's right to criticize  
91 or seek revision of those duties, laws, regulations, policies, or procedures.

92  
93 (e)(h) Refrain from engaging in a pattern of behavior that disrupts or obstructs the orderly  
94 and effective functioning of the department, college, or University. This section shall not  
95 be construed or used to inhibit vigorous and tough-minded academic disagreements which  
96 are a vital aspect of academic freedom or the right to free expression and thought, on or off  
97 campus. A pattern of disruptive or obstructive behavior must be demonstrated by timely  
98 documentation in the faculty member's evaluation file. Academic freedom is accompanied  
99 by corresponding responsibilities, including the duty to exercise appropriate restraint and  
100 to show appropriate respect for the right of others to hold differing opinions. Consequently,  
101 while academic disagreements are part of the orderly functioning of a university,  
102 appropriate constructive cooperation is also critical to the faculty member's effective  
103 performance as a member of the academy. ~~However, there is a point beyond which a~~  
104 ~~pattern of behavior exceeds the reasonable bounds of academic freedom and becomes~~  
105 ~~disruptive and obstructive to the orderly and effective functioning of the University. At~~  
106 ~~that point, the faculty member's behavior is beyond the protection of academic freedom.~~

107 5.4 Academic Responsibility of the Board and the University Administration. Academic freedom  
108 is accompanied by corresponding responsibilities of the Board and the University  
109 Administration. Academic responsibility implies the competent performance of duties and  
110 obligations and a commitment to actively foster within the University a climate favorable to  
111 the responsible exercise of academic freedom. Therefore, it is the responsibility of the Board  
112 and the University Administration to:

113 (a) Maintain, encourage, protect and promote the faculty's academic freedom so that it is not  
114 compromised by harassment, censorship, reprisals, or prohibited discrimination as defined  
115 in Article \_\_, Nondiscrimination.

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117 (a)(b) Ensure that the faculty's academic freedom, to include freedom of thought and  
118 expression as guaranteed under the First Amendment of the Constitution of the United  
119 States of America, is not stifled or compromised.

120  
121 (b)(c) Treat faculty members, students, and staff in a manner consistent with the  
122 provisions of this Agreement.  
123

124 ~~(e)~~(d) Respect the integrity of the evaluation process, including the privacy rights under  
125 law, and fairly evaluate faculty according to the criteria and procedures specified in the  
126 evaluation process.

127  
128 ~~(d)~~(e) Respect and adhere to the principles of shared governance.

129  
130 ~~(e)~~(f) Observe the published University regulations, provided that the regulations do not  
131 contravene academic freedom, which includes the faculty member's right to responsibly  
132 criticize and seek revision of the regulations.

133  
134 ~~(f)~~(g) Refrain from engaging in behavior that directly undermines academic freedom, and  
135 freedom of thought and expression as described in this regulation or otherwise disrupt or  
136 obstruct the orderly and effective functioning of the department, college, or University.

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138 ~~(g)~~(h) Prohibit unauthorized persons from entering or interrupting a faculty member's  
139 classroom or laboratory, except with prior permission from the responsible faculty member  
140 or during legitimate emergencies. The University shall support the authority of each faculty  
141 member to have unauthorized persons removed from the faculty member's  
142 classroom/laboratory. This provision shall not apply to administrators who are responsible  
143 for evaluating the faculty member. At the faculty member's request, University  
144 Administration shall take appropriate action to enforce this provision.

145  
146 ~~(h)~~(i) Prohibit disruptive student behavior, including behavior that involves violence against  
147 faculty, staff or students, threat(s) of violence, instigation of violence, malicious vandalism,  
148 possession of weapons of any type, willful disregard of a faculty member's legitimate  
149 directions, continued use of abusive language or gestures, or other behavior that is so  
150 unruly, disruptive, harassing, or abusive that it seriously interferes with the faculty  
151 member's ability to effectively communicate with other students in the class or with the  
152 ability of the student's classmates to learn. The University shall support the authority of  
153 each faculty member to have disruptive persons removed from the faculty member's  
154 classroom/laboratory.

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157 (1) Upon receiving a report of disruptive student behavior, the University shall act  
158 promptly to investigate and resolve the matter. Faculty may request that a disruptive  
159 student be barred from returning to the classroom. If the University declines such  
160 a request, the University shall take appropriate alternative action that ensures  
161 against a recurrence of the disruptive behavior and shall inform the faculty member.

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