

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 essential elements of the faculty teaching experience and the student learning experience in the District.

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, District Policy, and official course descriptions. This freedom and freedom of expression shall be maintained in all media (printed, oral, visual, and electronic) and in all interactions 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.

9.05 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 responsibly.

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 difficult and controversial material that is relevant to the official course outline of record;
2. Express differences of opinion with and among students, faculty, staff, and administration on academic matters;
3. Demonstrate, teach, and defend critical thinking skills and intellectual honesty; and
4. Teach in an environment free of intimidation and censorship.

- 9.05.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 standards or relevant academic and/or 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*).

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: Conciliation/Grievance/Arbitration](#). 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 [District Policies](#): 2.7 and 2.7P: Unlawful Discrimination and Sexual Harassment; 3.10 and 3.10P: Grading; and 4.14a: Employee Conduct.)