

## **Initial Proposed Language for an “Academic Freedom” component to be included within a proposed new “Faculty Rights” Article to tentatively be added within the FARSCCD Contract...**

### **Academic Freedom**

In alignment with RSCCD Board Policy 4030, the District and the Association are committed to free and open inquiry in all matters in the classroom; they agree that all District faculty members shall have the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of the District or to the adherence to law, the Parties fully respect and support the freedom of all District faculty members to discuss any matters of academic or public concern. The protections of academic freedom include but are not limited to freedom of inquiry and research, freedom of teaching and instructional methodology, and freedom of expression and publication.

- ***Inquiry:*** Faculty members are entitled to academic freedom in the classroom in discussing their course subject matter and may examine or endorse unpopular or controversial ideas or viewpoints that are relevant to the official course outline of record and student learning. Faculty members should exercise prudent judgment to not introduce into their teaching controversial matter which has no relation to the course subject matter as identified within the course outline of record unless done to promote free and open student inquiry within the student learning environment. This does not preclude faculty members from using their professional judgment in discussing other topics with their students when aimed at enhancing student learning and understanding.
- ***Instructional Materials:*** Academic freedom includes the right of faculty to create and to use instructional materials that may be thought-provoking, contain controversial or unpopular ideas, or that challenge prevailing social attitudes so long as they are relevant to the courses they teach and enhance student learning. Faculty members may select or recommend for selection instructional materials and/or course materials presenting all points of view without regard to the gender, race, sexual orientation, gender identity, ethnicity, age, nationality, or the social, political, or religious views of the authors.
- ***Teaching Methodology:*** Faculty members may explore, select, and modify different teaching styles and methods of instruction and determine which methods are best for delivering instruction to students within the framework of the official course outline of record and relevant to student learning.
- ***Textbook Selection:*** Faculty members shall maintain the authority to determine and select course textbooks based upon their professional judgment as consistent with the course outline of record.
- ***Grading:*** Faculty members shall maintain the authority to determine grades based upon professional judgment to the extent mandated by law. Faculty members have 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 course syllabus.

- ***Scholarly Work:*** Faculty members shall have the freedom to publish, present, or participate in professional scholarship related to their profession to the extent permitted by law, provided their professional scholarship does not interfere with their regular District assigned duties.
- ***Intramural Comments:*** The District shall respect faculty members' right to utilize normal channels of campus communication free of censorship in the collegial expression or discussion of their opinions and viewpoints on matters of college and District policy including during department, college, and/or District meetings and while participating in the governance structure of their college and/or the District.
- ***Extramural Comments:*** The District shall respect the faculty member's right in public life to exercise freedom of speech, freedom of association, freedom of union activity, and freedom to express expert opinions in a public forum. Faculty members who speak or write as private citizens during their non-work time shall have speech rights as permitted by law. When faculty members speak or write publicly as citizens, they shall be free from prior institutional censorship or subsequent discipline by the college or district. Faculty are citizens, members of a learned profession, and officers of an educational institution. As scholars and education officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should make reasonable effort to be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

These rights notwithstanding, academic freedom is to be practiced within the parameters of commonly recognized standards of teaching, professional conduct, and applicable policies and laws. In exercising the rights to academic freedom, faculty have a responsibility to engage in teaching and learning that honors and respects the rights of others to hold divergent viewpoints; avoid any exploitation, harassment or discriminatory treatment of students; and avoid engaging in unprotected speech that may reasonably be expected to lead to physical injury to individuals or district facilities and/or the substantial disruption of college classes or activities. Nothing in this article prevents the District from taking disciplinary action against a faculty member for unlawful conduct or for other reasons provided in the Education Code.

**Rancho Santiago Community College District**  
**BOARD POLICY**  
Chapter 4  
Academic Affairs

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**BP 4030 Academic Freedom**

**References:**

Title 5, Section 51023

ACCJC Accreditation Eligibility Requirement 20 and AACJC Accreditation Standard I.C.7  
(formerly II.A.7)

The teacher should be free to think and to express ideas, free to select and employ materials and methods of instruction, free from undue pressures of authority, and free to act within his/her professional group. Such freedom should be used judiciously and prudently to the end that it promotes the free exercise of intelligence and student learning. Academic freedom is not an absolute. It must be exercised within the law and the basic ethical responsibilities of the teaching profession. Those responsibilities include:

1. An understanding of our democratic tradition and its methods.
2. A concern for the welfare, growth, maturity, and development of students.
3. The method of scholarship.
4. Application of good taste and judgment in selecting and employing materials and methods of instruction.

**Revised: July 21, 2014 (Previously BP4201)**

**References Updated: May 18, 2015**

**Reviewed: May 7, 2018**

**Rancho Santiago Community College District**  
**ADMINISTRATIVE REGULATION**  
Chapter 4  
Academic Affairs

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**AR 4030 Academic Freedom**

**Reference(s):**

Title 5, Section 51023  
ACCJC Accreditation Eligibility Requirement 20  
ACCJC Accreditation Standard I.C.7 (formerly II.A.7)

In support of BP 4030 Academic Freedom procedures related to academic freedom should address the following best practices from the American Association of University Professors:

- Faculty are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- Faculty are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to the subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment.
- College and university faculty are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and education officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

**Adopted: September 17, 2018**