

**PALO ALTO COLLEGE
COLLEGE PROCEDURE**

Procedure Number: I 23.0
Procedure Title: Academic Freedom
Relevant Board / SACSCOC Policy: D.1.1 (Policy) Compliance with Policies and Procedures
D.3.5 (Policy) Academic Freedom and Responsibilities
D.4.10 (Policy) Faculty Code of Professional Ethics
D.4.10.1 (Procedure) Faculty Code of Professional Ethics
Originating Unit: Division of Arts & Sciences
Maintenance Unit: Vice President of Academic Success

I. Purpose:

To preserve and protect academic freedom.

II. Procedure Statement:

Palo Alto College is committed to the preservation and protection of academic freedom as defined in the *1940 Statement of Principles on Academic Freedom and Tenure* formulated by the Association of American Colleges and the American Association of University Professors as revised by these associations in November 1989 and January 1990. The pertinent provisions of this statement are as follows:

1. Teachers [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 for the institution.
2. Teachers [Faculty] are entitled to freedom in the classroom in discussing the subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. College and university teachers [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 educational 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.

In addition to the provisions enumerated above, Teachers [Faculty] while enjoying academic freedom are, at the same time, required to abide by College District policies and procedures and applicable laws.

Faculty Redress:

For the purpose of this procedure, the terms "complaint" and "grievance" can be used synonymously.

The College intends that, whenever possible, complaints be resolved at the supervisory level closest to the situation. The College encourages faculty to discuss their concerns and complaints through informal conferences with their Department Chair or other appropriate academic administrator. Even after initiating the grievance process, faculty are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.

In the event that informal conferences fail to satisfy the faculty member, formal claims of Academic Freedom violations shall be directed to the President of the College Faculty Senate [in writing] who will, pursuant to the Palo Alto College Faculty Senate Constitution Article VIII, Section 2, facilitate a standing, special, or ad hoc committee on Academic Freedom as deemed necessary for the proper investigation and adjudication of the alleged offense.

A. The written grievance under this procedure must clearly identify the following:

1. The actions the faculty member believes constitute a violation to their Academic Freedom;
2. Any available evidence; and
3. A proposed remedy.

Timelines

The following timeline will be adhered to:

"Days" means College business days unless specified otherwise. In calculating timelines under this procedure, the day a complaint is filed is "day zero," and all deadlines are determined by counting the following day as "day one."

The College, through the Faculty Senate, shall make every practicable attempt to process Academic Freedom grievances within 10 days after day zero.

Time limits may be extended for circumstances such as unavailability of key personnel due to leave, absence, emergency closures, holidays, or semester breaks.

Alamo Colleges Board Policy D.3.3 - Employee Complaints and Alamo Colleges Board Procedure D.3.3.1 – Employee Complaints provide an avenue for appealing the decision from the Faculty Senate Academic Freedom Committee.

Each year, at the close of the spring semester, the Faculty Senate President will report all complaints that have been settled, left unsettled, or remain pending, to the President of the College. Files will be kept for 3 years beyond the conclusion of the counseling and complaint.

Date Created: February 2021

Date Updated/Approved: February 23, 2021

Approved:

(signed: Beth Tanner)

Vice President of Academic Success

(signed: Dr. Robert Garza)

President