

D.3.5.1 (Procedure) Academic Freedom and Responsibilities

Department: Vice Chancellor for Academic Success

Based on Board Policy: D.3.5 – Academic Freedom and Responsibilities

Approved: 06/14/24

Purpose

The purpose of this procedure is to preserve and protect academic freedom as stated under Alamo Colleges District Board Policy D.3.5.

Definitions

Academic Freedom: Academic Freedom as defined in this procedure aligns with [Alamo Colleges District Policy D.3.5 : \(Policy\) Academic Freedom and Responsibilities.](#)

1. Teachers 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 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. Alamo Colleges teachers 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 the Alamo Colleges by their utterances. When speaking as a citizen, teachers 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.

Process

Complaints Outside of the Purview of this Process

Some faculty complaints will fall outside the purview of Academic Freedom and are addressed in other [Alamo Colleges District Board Policies](#) including:

[D.3.2 – Protection from Retaliation](#)

[D.3.3 – Employee Complaints](#)

[D.3.4 – Freedom of Association](#)

[D.9.1 – Progressive Discipline](#)

H.1.2 – Civil Rights, Discrimination, and Harassment and Retaliation

Complaints falling under the purview of those District Policies should be addressed under the processes and remedies outlined therein. Students may not utilize this process for initiating complaints based on faculty classroom speech and management.

Academic Freedom Process

1. This process defines the steps to be followed when a faculty member wishes to elevate issues involving faculty rights and responsibilities as related to academic freedom that have not been successfully resolved through discussion with the Department Chair or the other channels of administrative responsibility. The Faculty member must attempt to resolve the issue through discussions with the Department Chair, the Dean, and the Vice President for Academic Success prior to initiating the Academic Freedom Committee Process. The Chair, Dean, and Vice President will review the issue presented by the faculty member and provide the result of their review to the faculty member in writing within five (5) business days.
2. In the event that these discussions fail to achieve a resolution, the faculty member may submit an Academic Freedom Grievance Form/Petition to the Faculty Senate President. The Faculty Senate will facilitate a standing or an ad hoc Academic Freedom Review Committee, as deemed necessary for the proper investigation and adjudication of the alleged offense. This grievance form can be withdrawn at any time. The written grievance under this procedure must clearly identify the following;
 - a. The actions the faculty member believes constitute a violation to their Academic Freedom;
 - b. Any available evidence; and
 - c. A proposed remedy.
3. An Academic Freedom Review Committee, consisting of from three to five faculty members (which can include Faculty Chairpersons) to be chosen by the Faculty Senate by methods of its own selection, will be established to hear the case. The Faculty Senate will include a Dean or Vice President as a non-voting member to provide additional perspective to the committee. The Academic Freedom Review Committee will elect its chairperson from among its members. The Faculty Senate will select no more than one committee member from the same department or discipline as the faculty member submitting the petition, and will not select individuals with potential bias or potential conflict of interest. All committee members will undergo Academic Freedom training prior to serving.
4. The procedure will adhere to the timeline outlined below.

In calculating timelines under this procedure, the day the Academic Freedom Grievance Form is filed is "day zero," and all deadlines are determined by counting the following day as "day one." "Days" means College business days unless specified otherwise. The following time limits may be extended for circumstances such as unavailability of key personnel due to leave, absence, emergency closures, holidays, or semester breaks.

- a. The Faculty Senate will convene the committee within ten (10) business days after receiving the Academic Freedom Grievance Form/Petition. If needed, the committee must request additional information and/or interviews with the parties involved within five (5) business days of the first meeting.
- b. Requested information should be submitted to the committee and/or interviews completed within five (5) business days of the request.
- c. The committee will review the information collected and render to the College President, and the faculty member a decision, in writing, within five (5) business days.
- d. The decision of the Academic Freedom Committee will be reviewed by the College President. The College President will respond, in writing, within (5) business days to the Academic Freedom Committee and the faculty member whether they accept or do not accept the decision of the committee regarding the academic freedom issue and the faculty member's proposed remedy. Appeals are addressed in the Appeals Process below.
- e. A copy of the decisions of the Academic Freedom Committee and College President will be provided to the Associate Vice Chancellor of TOSI (Talent Organization and Strategic Innovation), which will be maintained separate from the personnel record.

APPEALS PROCESS

1. In the event the faculty member does not accept the decision of the President, the faculty member may appeal the decision by submitting a written request for an appeal hearing to the Associate Vice Chancellor for TOSI within 5 business days of issuance of the decision.
2. The appeal will be heard within 10 business days by the Chancellor or designee. A final binding decision that cannot be appealed will be provided in writing to both parties within 10 business days following the appeal hearing.
3. Files will be maintained by the Office of the Vice President for Academic Success for five years from the date of final decision with a copy provided to the Associate Vice Chancellor of Talent Organization and Strategic Innovation, which will be maintained separate from the personnel record.