

ARTICLE 5  
ACADEMIC FREEDOM AND RESPONSIBILITY

5.1 Policy.

(a) It is the policy of the The Board and the UFF to shall maintain, and encourage, protect, and promote full academic freedom.

(1) Academic freedom and responsibility are essential to the full development of a true university and apply to teaching, research/creative activities, professional, public, and university assigned service, and other assigned duties. the activities set forth in Sections 10.4(d) and 10.4(e).

(2) An employee engaged in such activities shall be free to cultivate a spirit of inquiry and scholarly make inquiries, express opinions, examine ideas, and offer criticism and to examine ideas in an atmosphere of freedom and confidence, without fear of censorship or reprisal.

(b) In order to ensure an atmosphere of academic freedom and confidence, without fear of censorship or reprisal,

(1) Consistent with the exercise of academic responsibility as defined in section 5.3 below, expressive behavior within the scope of Sections 5.1 and 5.2 shall not be subject to disciplinary action; and

(2) The Board shall not apply any provision in this agreement in such a way as to violate an employee's academic freedom or constitutional rights, including constitutionally protected freedom of expression, nor shall an employee be penalized for exercising such freedom or rights.

5.2 Academic Freedom.

(a) Teaching and Research/Creative Activities. Consistent with the exercise of academic responsibility as defined in section 5.3 below and recognizing that their primary responsibility is to seek and state the truth as they see it, employees shall have freedom, without fear of censorship or reprisal, to

(1) Present and discuss their own academic subjects, frankly and forthrightly;

(2) Select instructional materials, define course content, and determine grades in accordance with university and Board policies. Objective and skillful exposition of such subject matter, including the acknowledgment of a variety of scholarly opinions, is the duty of every such employee; and

(3) Present controversial material relevant to the course of instruction; and

1 (4) Freely engage in scholarly and creative activity and publish the results.  
 2 Employees shall also be free to engage in scholarly and creative activity and  
 3 publish the results in a manner consistent with their professional obligations.  
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5 (b) Service.  
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7 (1) Service includes, but is not limited to, participation in governance  
 8 processes of the university. Employee participation in shared governance is  
 9 a fundamental aspect of academic freedom.  
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11 (2) Consistent with the exercise of academic responsibility as defined in  
 12 Section 5.3 below, employees shall have freedom to present and discuss  
 13 academic policy, university governance, and other matters pertaining to the  
 14 health of the university, frankly and forthrightly, without fear of censorship  
 15 or reprisal.  
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17 (3) Employees, as citizens, are free to engage in political and professional  
 18 activities. Where necessary, leaves of absence shall be given for the duration of  
 19 an election campaign or a term of office, or fulfillment of other professional  
 20 obligations.  
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22 (c) Other Assigned Duties. The rights provided in this article shall extend to other  
 23 assigned duties, including those of librarians, coordinators, counselors, advisors, and others  
 24 whose primary responsibilities are other than teaching and research.  
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26 **[The language from sections 5.3 and 5.4 has been combined into one section]**

27 5.3 Academic Responsibility of the Employee. Academic freedom is accompanied by  
 28 the corresponding employee responsibility, arising from the nature of the educational  
 29 process [moved from current 5.4], to  
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31 (a) ~~Be forthright and honest~~ Observe and uphold the ethical standards of their  
 32 disciplines [moved from current 5.4] in the pursuit and communication of scientific and  
 33 scholarly knowledge;  
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35 (b) Adhere to their proper roles as teachers, researchers, intellectual mentors, or  
 36 counselors; [moved from current 5.4]  
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38 ~~(b c) Respect students, staff, and colleagues as individuals; treat them in a collegial~~  
 39 ~~manner; and~~ Treat students, staff and colleagues in a manner consistent with the  
 40 provisions of Sections 5.1 and 5.2 and Article 6, Nondiscrimination;  
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42 (d) ~~Avoid any exploitation of such persons~~ students, staff, or colleagues for private  
 43 advantage;  
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45 ~~(e e) Respect the integrity of the evaluation process, with regard to evaluating~~  
 46 students, staff, and colleagues, so that it reflects their true merit fairly according to the  
 47 criteria the evaluation process specifies;

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2 ~~(d) Indicate when appropriate that one is not an institutional representative unless~~  
3 ~~specifically authorized as such; and~~  
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5 (f) Participate, as appropriate, in the system of shared governance; [moved from  
6 **current 5.4]**

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8 (e g) Contribute to the orderly and effective functioning of the employee's their  
9 academic unit (program, department, school, and/or college) and/or the university,  
10 provided that this subsection is not applied so as to deprive employees of any rights set  
11 forth elsewhere in this Agreement; and  
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13 (h) Observe the stated regulations of the university, provided they do not contravene  
14 academic freedom or provisions of this collective bargaining agreement; employees  
15 nonetheless maintain the right to criticize and seek revision of those regulations.  
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17 **[Current 5.4 has been moved, in separate sections, into Section 5.3 above]**

18 ~~5.4 In addition to their assigned duties, employees have responsibilities arising from the nature~~  
19 ~~of the educational process. Such responsibilities include, but are not limited to, observing and~~  
20 ~~upholding the ethical standards of their discipline; participating, as appropriate, in the shared~~  
21 ~~system of collegial governance, especially at the department/unit level; respecting the~~  
22 ~~confidential nature of the relationship between professor and student; adhering to one's proper~~  
23 ~~role as teacher, researcher, intellectual mentor, and counselor; and conducting oneself in a~~  
24 ~~collegial manner in all interactions.~~  
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26 5.4 Academic Responsibility of the Board. The university depends upon freedom for its  
27 health and integrity. As Sections 5.1 and 5.2 indicate, the Board has the responsibility to  
28 support the employee's primary responsibility to seek and state the truth as they see it.  
29 Therefore, the freedoms and responsibilities of the employee create a corresponding  
30 responsibility in the Board to:  
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32 (a) Sustain and defend academic freedom within the university, an obligation which  
33 includes but is not limited to taking positive actions to ensure that academic freedom is  
34 not compromised by:  
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36 (1) harassment, reprisals, or employment decisions based on those factors  
37 set forth in Article 6; or  
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39 (2) unequal working conditions or differential treatment based on those  
40 factors set forth in Article 6; or  
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42 (3) the evaluation process.  
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44 (b) Defend and explain academic freedom to anyone who may misunderstand its  
45 function or seek to limit its scope;  
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47 (c) Prohibit unauthorized classroom visits and interruptions;

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(1) Persons who are not authorized students, authorized instructional staff, or authorized officials of the university shall not be permitted to enter employee classrooms or laboratories during instructional time, except with prior permission from the employee or during legitimate emergencies;

(2) Except during legitimate emergencies, classroom or laboratory visits by persons other than enrolled students or authorized instructional staff shall be scheduled by the employee or through the department office with the employee's consent. Consent for scheduling appropriate visits shall not be unreasonably denied; and

(3) At the employee's request, university police shall remove unauthorized persons from an employee's classroom/laboratory.