

ARTICLE 28

ACADEMIC FREEDOM

- 28.1 The District and United Faculty recognize that protecting academic freedom is essential to our district's vision to be a beacon of excellence in learning and equitable student success, as well as to our mission to transform lives by providing outstanding learning opportunities, nurturing and empowering all students to achieve their educational goals. All faculty members (including both instructional and non-instructional faculty, full-time and part-time) shall therefore be free to pursue instruction, grading, scholarship, policy discussions, and public discourse in an environment free from intimidation and censorship. Academic freedom as a form of freedom of expression shall exist within the general framework of the United States Constitution, the California State Constitution, and requirements of the California Education Code, California Community College regulations, District Policy, and official course descriptions. This freedom shall be maintained in all media (printed, oral, visual, and electronic) and in all interactions between students, faculty, staff and administration. No faculty member shall be mistreated, disciplined, reassigned, or have his/her assignment terminated for exercising his or her academic freedom as defined in this article. And the District and UF will actively support and protect full freedom of faculty to teach, research and pursue knowledge without fear of retribution or punishment.
- 28.2 Academic Freedom is understood to include both rights and responsibilities. In the performance of their duties, all faculty (including both instructional and non-instructional, full-time and part-time) have the right to speak and write free from viewpoint censorship and shall not be restricted
- a) in displaying buttons, clothing, insignias, or symbols that convey expressive speech, provided such speech is not obscene or defamatory according to current legal standards;
 - b) displaying posters, photographs, art, comics, or similar material in their offices or private work space, immediately outside their offices or work space, or on the outside of their office doors or windows, provided such displays are not obscene or libelous according to current legal standards, violate State or Federal law, or state or imply that the display expresses the views of the District or College;
 - c) their speech and associational rights as provided under the California Educational Employment Relations Act (EERA).
- 28.3 All faculty members shall be free to teach or otherwise provide or participate in educational functions and/or services in an environment free of intimidation, censorship, and deliberate disruption or interference; examine, explore, or endorse unpopular or controversial ideas, either in classroom teaching or in discussions with students outside the classroom or in academic research or publication; select course texts and other instructional materials subject to department and/or program policies and in line with approved course outlines; engage in pedagogical experimentation with the intent to improve student learning; and express in a professional manner with and among students, faculty, staff and administrators differences of opinion about academic matters, college plans or policies, and administrative decisions.
- 28.4 The District recognizes the right of faculty to speak or write as private individuals and engage in public discourse. When faculty speak or write as citizens, they will not claim they are speaking for the District or College unless specifically authorized to do so, nor will they state or imply that their views reflect those of the District or College unless specifically authorized to do so.

- 28.5 Academic Freedom for faculty shall extend to the internet, including online teaching as well as all electronic communications and social media.
- 28.6 Academic Freedom for librarians shall include, in part, informing collection decisions, recommending sources and texts to students, guiding academic research, providing reference and other student-support services free from constraint or censorship.
- 28.7 Interference with or censure of an academic employee by District officials or by outside individuals or groups because of the faculty member's introduction of relevant and controversial subjects or provision of relevant and appropriate educational professional services to students in the performance of his or her duties as a professor is precluded by the principle of academic freedom as defined in this article. The District and UF recognize the fundamental need to protect faculty from censorship, restraint or harassment that might interfere with their teaching or other education functions. When instances of interference, intimidation or harassment occur, the District and/or College will take steps to support faculty and defend academic freedom.
- 28.8 The principles of Academic Freedom do not justify hate-speech or other unprofessional conduct or communications. Academic Freedom should not be understood as a license to deviate regularly from course content as described in course outlines of record or to insert inappropriate content into one's course. Faculty should foster a classroom environment that is conducive to student learning, growth, and development in which students are free from unlawful bullying, discrimination, prejudice and harassment and in which students are free to express relevant ideas and opinions. The intent of this article is not to discourage what is "controversial." Controversy is at the heart of free academic inquiry which the entire article is designed to focus. The statement serves to underscore the need to avoid persistently intruding material which has no relation to the subject.