



Committee Meeting: Policy & Governance Committee	Date: June 14, 2019
Committee Chair: Kathleen Masiello - Members Present Page 3	
New or Edited: Edited IV-A-1 Academic Freedom Policy last approved 9/00	

POLICY NAME: Academic Freedom Policy

POLICY TYPE: Board

SUBMITTED BY: Joanne Colmerauer, Dean of Liberal Arts and Sciences

ISSUE OR STATEMENT OF PURPOSE: To clearly define the position of SUNY Erie Community College regarding Academic Freedom.

NEW OR EDITED POLICY: Edited IV-A-1 Academic Freedom Policy last approved 9/00

It is the policy of the College to maintain and encourage Academic Freedom, within the law, of inquiry, teaching and research.*

The concept of academic freedom is based on the idea that the free exchange of ideas on campus is essential to good education. ¹

The faculty are the College's experts in their subjects and in pedagogy. Academic freedom includes the right of faculty members to discuss the subjects within their expertise in the classroom without interference and to determine their methods of teaching and student evaluation. Additionally, academic freedom includes the right of faculty members acting collectively through established governance structures to determine the content of the curricula in their separate disciplines or programs, and the overall content of the College curriculum.

Academic freedom also includes the rights of scholars to publish freely the results of their research, to retain the rights to their intellectual property, to participate in the governance of the institution, and to advance in their profession without fear of discrimination. ²

In the exercise of this freedom faculty members may, without limitation, discuss their own subject in the classroom; they may not, however, claim as their right the privilege of discussing in their classroom controversial matter which has no relation to their subject. The principle of academic freedom shall be accompanied by a corresponding principle of responsibility. In their role as citizens, (College) employees have the same freedoms as other citizens. However, (College) employees have an obligation to indicate that they are not institutional spokespersons. ³

Academic freedom means that both faculty members and students can engage in intellectual debate without fear of censorship or retaliation. It establishes a faculty member's right to remain true to his or her pedagogical philosophy and intellectual commitments. It preserves the intellectual integrity of our educational system and thus serves the public good. Academic freedom in teaching means that both faculty members and students can



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make comparisons and contrasts between subjects taught in a course and any field of human knowledge or period of history. It gives both students and faculty the right to express their views — in speech, writing, and through electronic communication, both on and off campus — without fear of sanction, unless the manner of expression substantially impairs the rights of others or, in the case of faculty members, those views demonstrate that they are professionally ignorant, incompetent, or dishonest with regard to their discipline or fields of expertise. ⁴

Academic freedom gives ... faculty the right to study and do research on the topics they choose and to draw what conclusions they find consistent with their research, though it does not prevent others from judging whether their work is valuable and their conclusions sound. Academic freedom means that the political, religious, or philosophical beliefs of politicians, administrators, and members of the public cannot be imposed on students or faculty. ⁴

Collectively, faculty in the academic disciplines create and agree upon course content as described in the course outlines. Because of this collective and democratic faculty process in which individual faculty members are free to participate, the academic department's or Unit's requirement to follow the course outline is not a violation of academic freedom. Faculty are still free to design their own syllabi and choose methods of instruction and of student evaluation they consider appropriate to the subject and to the needs of their students.

Academic freedom shall not be used to justify instances where faculty harasses, threaten, intimidate, ridicule, or impose their views on students. It also does not protect incompetence or provide job security in the face of incompetence; protect against colleague or student challenges or disagreement with one's educational philosophy or practices; protect from non-university penalties if the law is broken; protect against disciplinary action if college or university regulations are ignored; protect against sanctions for professional misconduct; protect against sanctions for poor performance in the discharge of one's duties; or protect against investigations into allegations of scientific misconduct. ⁴

Academic freedom gives faculty members and students the right to seek redress or request a hearing if they believe their rights have been violated. It also protects faculty members and students from reprisals for disagreeing with administrative policies or proposals. It gives faculty members and students the right to challenge one another's views, but not to penalize them for holding them. ⁴

Academic freedom protects a faculty member's authority to assign grades to students, so long as the grades are not capricious or unjustly punitive. More broadly, academic freedom encompasses both the individual and institutional right to maintain academic standards. It gives faculty members substantial latitude in deciding how to teach the courses for which they are responsible. ⁴

Academic freedom guarantees that academic decisions by faculty members such as student grades must be respected and shall not be overturned except for good and sufficient reasons such as those described in the paragraph above. Unresolved challenges to grading decisions must be adjudicated by means of an established institutional process that includes due process protections and significant representation of the faculty member's peers on the adjudicating panel.



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Finally, an atmosphere of academic freedom in higher education is crucial for students' intellectual growth, helping them "develop the skills of analysis and critical inquiry with particular emphasis on exploring and evaluating competing claims and different perspectives."⁵ Academic freedom in higher education is one of the essential conditions for a free society.

* This sentence is the previous policy in its entirety.

DOES IT SUPERCEDE A POLICY/WHICH ONE: Yes, edited IV-A-1 Academic Freedom Policy last approved 9/00

POLICY & GOVERNANCE COMMITTEE RECOMMENDED ACTION:

Policy & Governance Committee recommends the Board of Trustees approve this Board policy under Committee Briefings, Policy and Governance Committee. This Policy supersedes all prior policies/procedures and practices related to Academic Freedom.

POLICY & GOVERNANCE COMMITTEE MEMBERS PRESENT: Trustee Kathleen Masiello, Trustee Leonard Lenihan, Student Trustee Albert Tew, Executive Vice President for Administration and Finance Penelope Howard, Employee Relations Manager Daniel Kaufmann, Vice President of Enrollment Management, Steven Smith, Director of Registration Paul Lamanna, Dean of Liberal Arts and Science Jamie Smith

DATE OF BOARD APPROVAL: June 27, 2019

POLICY & GOVERNANCE COMMITTEE TEAM FOLLOW-UP:

Following Trustee approval, this Board policy will be included in the SUNY Erie Community College Board of Trustees Policy Manual.

INFORMATION/INPUT CONSIDERED DURING POLICY & GOVERNANCE COMMITTEE DELIBERATIONS:

1. American Federation of Teachers Position Statement on Academic Freedom, available at <https://www.aft.org/position/academic-freedom>
2. National Education Association Policy on Academic and Intellectual Freedom and Tenure in Higher Education. Available at <http://www.nea.org/home/33071.htm>
3. The State University of New York. Policies of the Board of Trustees. 2014. Available at: <http://system.suny.edu/media/suny/content-assets/documents/boardoftrustees/SUNY-BOT-Policies-June2014.pdf>
4. Nelson, Cary. Defining Academic Freedom. Inside Higher Ed, 21 Dec 2010. Available at: https://www.insidehighered.com/views/2010/12/21/nelson_on_academic_freedom
5. Association of American Colleges & Universities Board of Directors' Statement on Academic Freedom and Educational Responsibility, January 6, 2006



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The Policy has been reviewed and discussed at the Policy & Governance Committee meeting of July 14, 2017, June 22, 2018, November 16, 2018 and June 14, 2019. The Policy was approved at the College Senate Meeting May 14, 2019.