

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 and Sciences
Maintenance Unit: Vice President for Academic Success

- I. Purpose: To preserve and protect academic freedom and its attendant responsibilities.
- II. Definition of Academic Freedom: Academic Freedom as defined in this procedure aligns with Alamo Colleges District Policy D.3.5: (Policy) Academic Freedom and Responsibilities. Palo Alto College (PAC) and the Alamo Colleges are 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 and revised by these associations in November 1989 and January 1990. The three tenets of academic freedom identified by these organizations are:
 - A. 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. Research for pecuniary return should be based upon an understanding with the authorities for the institution.
 - B. 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.
 - C. 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 always 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.

III. Academic Freedom Review Process:

- A. This process defines the steps to be followed when a faculty member wishes to elevate issues involving faculty rights and responsibilities related to academic freedom that have not been successfully resolved through discussion with the Department Chair and/or other relevant channels of administrative responsibility.
- B. The faculty member must first 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.
- C. If these discussions fail to achieve a resolution, the faculty member may submit an Academic Freedom Grievance Form/Petition to the Palo Alto College Faculty Senate Representatives. The written grievance under this procedure must clearly identify:
 - 1. The actions the faculty member believes constitute a violation of Academic Freedom
 - 2. Any available evidence
 - 3. A proposed remedyThis grievance form can be withdrawn at any time.
- D. The PAC Faculty Senate Representatives will facilitate either a standing or an ad hoc Academic Freedom Review Committee as deemed necessary for the proper investigation and adjudication of the alleged offense. An Academic Freedom Review Committee, consisting of from three to five faculty members (which can include Faculty Chairpersons) and chosen by the PAC Faculty Senate Representatives by methods of its own selection, will be established to hear the case. The PAC Faculty Senate Representatives 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 PAC Faculty Senate Representatives 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.
- E. 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.

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

F. Academic Freedom 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 of TOSI within five (5) business days of issuance of the decision.
2. The appeal will be heard within ten (10) business days by the Associate Vice Chancellor for TOSI or designee. A final binding decision that cannot be appealed will be provided in writing to both parties within ten (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. Appeals process files will be maintained separately from the personnel record.

G. Annual Report

Each year at the close of the spring semester, the PAC Faculty Senate Representatives will report academic freedom issues that have been settled, left unsettled, or remain pending to the President of the College. Files will be kept for three years.

Date Created: February 2021

Date Approved: February 23, 2021

Date Updated/Approved: June 16, 2026

Approved:

(signed: *Lisa Juarez*)

Vice President of College Services

(signed: *Patrick Lee*)

Vice President for Academic Success

(signed: *Delilah Marquez*)

Vice President for Student Success

(signed: *Dr. Robert Garza*)

President