

**TEXAS STATE TECHNICAL COLLEGE SYSTEM
SYSTEM OPERATING STANDARD**

No. ES.1.06	Page 1 of 4	Effective Date: 11/16/95
DIVISION:	Educational Services	
SUBJECT:	Academic Freedom and Responsibility	
AUTHORITY:	Minute Order #100-95	
SUBMITTED BY:	<i>Original Signed by J. Gary Hendricks</i>	
TITLE:	Director, Occupational and Institutional Research	Date: 11/16/95
APPROVED BY:	<i>Original Signed by Cecil L. Groves</i>	
TITLE:	Chancellor	Date: 11/16/95

STATUS: Approved by MC 11/16/95

HISTORICAL STATUS: Revised 09/26/95
Approved Board of Regents 09/23/95
Approved M/C 09/15/86

POLICY

It is the policy of Texas State Technical College to (1) entitle each faculty member freedom in the classroom in discussing the subject which he/she teaches; (2) hold each faculty member responsible for judicious use of controversial material in the classroom and limit introduction of such material only as it has clear relationship to the approved curriculum and subject; and (3) hold each faculty member responsible for maintenance of competencies, exercising professional integrity, being professional in conduct with students, and recognizing and exercising that the faculty member's right to freedom of expression must be balanced with interest of the State as an employer, so as not to nullify constitutional protection.

PERTINENT INFORMATION

Section 4.8.6 of the Southern Association of Colleges and Schools *Criteria for Accreditation* (December, 1994) states: “*Faculty and students must be free to examine all pertinent data,*

question assumptions, be guided by the evidence of scholarly research, and teach and study the substance of a given discipline...

An institution must adopt and distribute to all faculty members a statement of the principles of academic freedom as established by the governing board, ensuring freedom in teaching, research and publication... Institutional policies must set forth the requirement for faculty members to carry out their duties in a professional, ethical and collegial manner that enhances the purpose of the institution..."

There are two basic concepts of academic freedom. One, the classical theory is "professors should have the right to teach, conduct research, and publish their research without interference, and that students should have the corresponding right to study and learn (*The Concept of Academic Freedom*, Edmond L. Pincoffs, editor, U. of Tx. Press LB 2332.C67 1975). The authors continue to say that justification for these rights derive from a theory of what the university is and how it can best achieve its objectives. Thus, these are special rights that derive from a particular institutional structure. Furthermore, the extent of academic freedom is a function of institutional structure and role/scope. The second (general) theory of academic freedom is quite different and states, "that professors and students have the same rights of free expression, freedom of inquiry, freedom of association and freedom of publication in their roles as professors and students that they have as citizens in a free society, except insofar as the mode of exercise of these freedoms needs to be restricted to preserve the academic and subsidiary functions of the university" (ibid). Only the first of these two concepts are pertinent to this System Operating Standard.

The Advisory Committees specify the terminal competencies via job skill specifications of each program and therefore indirectly specify what is to be taught. Technicians and vocational graduates live and work with technology which often times has significant sociological impact, be it the laboratory with genetic engineering or the commercial jet being certified as flight safe. The role of the graduate and the technology in society are appropriate subjects as derived from institutional advisory committees and curriculum development from which related academic freedom may impact upon the faculty of TSTC.

Just as policies of academic freedom of an institution afford its faculty members protection to fulfill their assignment, the academic responsibility of faculty members is reciprocal and equally demanding if the institution is to fulfill its mission. The faculty member has a responsibility to the institution, his or her profession, his or her students and society at large.

DELEGATION OF AUTHORITY

The President has responsibility and authority to develop procedures and conduct activities to carry out this System Operating Standard and to coordinate with other referenced System Operating Standards.

OPERATING REQUIREMENTS

1. Faculty shall have the academic freedom to conduct their classes in a manner they deem most effective and efficient in imparting the specified curricula to students as measured

through demonstrable student competencies and guided by the Texas State Technical College System's role and mission. Freedom of expression and inquiry by faculty and students is encouraged to examine and debate the assumptions underlying knowledge in their field.

2. The fundamental responsibilities of a faculty member as a teacher and scholar include maintenance of competence in his or her field of specialization and the exhibition of such professional competence in the classroom, studio or laboratory and in the public area by such activities as discussions, lectures, consulting, publication or participation in professional organizations and meetings.
3. The exercise of professional integrity by a faculty member includes recognition that the public will judge his or her profession and institution by his or her statements. Therefore, the faculty member should strive to be accurate, to exercise appropriate restraint, to be willing to listen to and show respect to others expressing different opinions, and to avoid creating the impression that the faculty member speaks or act for his or her college or university when speaking or acting as a private person.
4. The constitutionally protected right of the faculty member, as a citizen, to freedom of expression must be balanced with the interest of the State, as an employer, in promoting the efficiency of the educational services it performs through its employees. A faculty member's comments are protected even though they may be highly critical in tone or content, or erroneous, but such statements are not protected free speech if they either substantially impede the faculty member's performance of his or her daily duties or materially and substantially interfere with the regular operation of the institution, or if they are part of a continuing pattern of expression of such nature as to destroy the harmony and morale of a division, department or college. False statements made with knowledge of their falsity or in reckless disregard of the truth are not entitled to constitutional protection, and public statements may be so without foundation as to call into question the fitness of the faculty member to perform his or her professional duties.
5. A faculty member should be judicious in the use of controversial material in the classroom and should introduce such material only as it has clear relationship to his or her subject field.
6. A faculty member should be professional in his or her conduct in the classroom and in his or her relationships with students. The faculty member should maintain respect for the student and for the student's posture as a learner. The faculty member should make himself or herself appropriately available to the student for consultation or course work.
7. All new faculty members shall systematically be informed of this System Operating Standard and campus operating procedures on academic freedom, and responsibility via new faculty orientation or other formal means.

8. Grievances regarding academic freedom shall be processed in accordance with institutional policy on Discipline, Dismissal and Grievances of Contract and Faculty Employees.
9. As a two-year institution of higher education, Texas State Technical College does not have tenured faculty. Hiring, promotion, and termination of faculty members shall be conducted in accordance with the System Operating Standards on Employment Contracts, Employee Probationary Periods, Wage and Salary Administration, Discipline, Dismissal, and Grievances of Contract and Faculty Employees, and other relevant System Operating Standards in effect, if any.
10. This System Operating Standard is not contractual in nature and does not create a right to, or an expectation of continued employment.
11. All faculty shall be informed of the means to obtain answers to questions regarding this System Operating Standard.

PERFORMANCE INDICATORS

1. Campuses shall have procedure sufficient to implement this System Operating Standard.
2. Each Operating Requirement of this System Operating Standard is followed.

COLLEGE OPERATING PROCEDURE

COLLEGE		Page 1 of
OFFICE OF RESPONSIBILITY:		
APPROVED BY:		
TITLE:	Date	