

1 **Introduction**

2 The District and the Association support the American Association of University Professors(AAUP)
3 Statement of Principles on Academic Freedom and Tenure, both the rights and the duties specified therein.
4 This Article is intended to reflect the intent of the AAUP statement and Sierra College Board Policy 4030 as
5 approved on 3/9/2004. This Article is further intended to declare the District’s and the Association’s intent
6 to allow those activities protected by constitutional freedom of speech and other forms of academic
7 freedom protected by the laws of the State of California and the laws of the United States. Nothing in this
8 article is intended to supersede State or Federal laws and/or regulations.

9 **Professional Protections**

10 The College shall maintain and encourage full freedom for its faculty members to investigate, discuss,
11 teach, research, publish, and pursue knowledge in line with the tools of their individual disciplines.

12 Faculty members may discuss their own subject or area of competence in the classroom as well as any
13 other relevant matters, including controversial matters, so long as they distinguish between personal
14 opinions and factual information.

15 Faculty shall be free from harassment, interference, or restrictions based on political views in their
16 exercise of academic freedom as described in this section. The Board or its representatives shall not
17 unlawfully inquire into, nor predicate any adverse action upon, a faculty member’s personal, political, or
18 organizational activities or preferences.

19 **Professional Autonomy**

20 Individual faculty members have the principle right and responsibility, according to their own professional
21 judgment, to determine the methods of instruction, the planning and presentation of course materials and
22 text books, and the fair and equitable methods of assessment in their assignment in accordance with the
23 approved curriculum and course outline and the educational mission of the District in accordance with
24 federal and/or state laws and regulations. Individual faculty members are encourages to work
25 collaboratively with their disciplinary colleagues on course rigor, texts and material selections,
26 assessments and policies, but retain the principle rights and responsibilities described above.

27 **Professional Commitments and Obligations**

28 All faculty members should:

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- 30 • Conduct a classroom environment that is conducive to student learning, growth, and
31 development in which students are free from discrimination, prejudice, and harassment
and in which students are free to express relevant ideas and opinions.

 - 32 • Clearly differentiate to students the expression of a faculty member’s personal opinions
33 or convictions from the objective presentation of theory, fact, or ideas.

- 1 • Participate in the student grievance process in instances where a student believes his or
2 her rights have been violated.
- 3 • Observe the stated policies and procedures of the district; however, faculty maintain
4 their right to express differences of opinion, engage the district in a discussion as to
5 whether policies and procedures contravene academic freedom, and seek revision to
6 policy and procedures through the faculty role in the participatory governance process.

7 **Article 24 Grievances**

8 The District and the Association agree that this Article applied to both full and part-time faculty and that
9 alleged violations of this article shall be handled through the special grievance process described in this
10 section.

11 **Informal Level**

12 Before filing a formal written grievance, the grievant shall attempt to resolve the issue by an informal
13 conference with the grievant's immediate supervisor.

14 **Formal Level**

15 **Step 1: Filing of a Grievance**

16 Within twenty (20) days after the occurrence of the act or omission giving rise to the grievance based on
17 Article 24, Academic Freedom, or within twenty (20) days of the time the grievant with due diligence
18 should have been aware of the act or omission, the grievant must file in the office of the Vice President of
19 Instruction or the Vice President of Student Services (as appropriate) such grievance in writing. (Grievance
20 Form – Step 1)

21 This statement shall be a clear, concise statement of the grievance and the Section(s) of Article 24 alleged
22 to have been violated, the circumstances involved, the decision rendered at the informal conference, and
23 the specific remedy sought by the grievant.

24 The grievance shall be heard by an ad-hoc committee consisting of the Vice-President of Instruction or the
25 Vice President of Student Services (depending on where the grievance was filed) and three appointees
26 from the Academic Senate.

27 The ad-hoc committee shall communicate a decision in writing to the grievant within twenty (20) days
28 after receiving the grievance. (Grievance Answer – Step 1). If the committee does not respond within the
29 time limit, the grievant may appeal to the next level. If the committee cannot reach consensus within the
30 time limit, the grievance is advanced to Step 2.

31 Within the above time limits, either party may request a personal conference with the other party.

32 **Step 2: Appeal to Superintendent/President and President of the Academic Senate**

ARTICLE 24: ACADEMIC FREEDOM

1 In the event the grievant is not satisfied with the decision at Step 1, the grievant may appeal the decision
2 by filing the appropriate form (Grievance Form – Step 2) in the office of the Superintendent/President
3 within ten (10) days of the grievant’s receipt of the committee’s decision.

4 This statement shall include a copy of the original grievance, the decision rendered by the committee at
5 Step 1, and a clear, concise statement of the reasons for the appeal. The grievance shall be heard jointly
6 by the Superintendent/President and the President of the Academic Senate.

7 The Superintendent/President and the President of the Academic Senate shall communicate a decision in
8 writing to the grievant within ten (10) days after receiving the grievance. (Grievance Answer – Step 2). If
9 the Superintendent/President and the President of the Academic Senate do not respond within the time
10 limit, the grievant may appeal to the next level. If the Superintendent/President and the President of the
11 Academic Senate cannot reach consensus within the time limit, the grievance is advanced to Step 3.

12 **Step 3: Appeal to the Board of Trustees**

13 If the grievant or Superintendent is not satisfied with the decision of the Superintendent/President and the
14 President of the Academic Senate, he or she may appeal for action to the Board of Trustees by filing a
15 written appeal in the Superintendent’s office within ten (10) days upon receipt of the Step 2 decision, and
16 copies of such appeal shall be given to all parties.

17 The appeal shall be considered at the next regularly scheduled District Board of Trustees meeting
18 consistent with the agenda items submission deadline. If the Board desires additional information, it may
19 gather additional facts in a hearing with both parties present and permitted to add to the record. The
20 Board shall make its decision based on the record of the grievance and any additional facts presented in
21 the Board hearing. If any management representative, excluding the Superintendent in his capacity of
22 Secretary to the Board unless he participates as a management representative, is present during any
23 Executive Session regarding the grievance, the grievant or his/her designee shall be notified in writing of
24 this Executive Session and have the option of being in attendance. The decision of the District’s Board of
25 Trustees shall be communicated in writing within ten (10) working days of the Executive Session hearing.
26 The grievance may be heard in public session with the agreement of both the grievant and the District.

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