

## **ARTICLE 2 ACADEMIC FREEDOM**

~~A. Academic freedom will extend to Unit 18 faculty through applicable provisions of the Academic Freedom Policy in effect at the time at the location of the Unit 18 faculty member.~~

~~B. Complaints alleging violation(s) of academic freedom may be reviewed in accordance with the procedures of the Academic Senate at the location of the Unit 18 faculty member.~~

### **A. Definitions**

1. UCOP and UC-AFT agree with, endorse, and abide by the “1940 Statement of Principles on Academic Freedom” published by the AAUP.  
<https://www.aaup.org/reports-publications/aaup-policies-reports/policy-statements/1940-statement-principles-academic>.
2. Academic freedom will include all terms specified in the Academic Freedom Policy in effect at the time at the location of the Unit 18 faculty member.
3. Members of the faculty are entitled as University employees to the full protections of the Constitution of the United States and of the Constitution of the State of California. These protections are in addition to whatever rights, privileges, and responsibilities attach to the academic freedom of university faculty.

In addition to the protections specified in the policy, Unit 18 faculty shall be covered by the following provisions. These provisions override any language concerning academic freedom in APM policies or the AAUP statements on academic freedom.

1. U18 faculty shall be free to speak about any topic whatsoever.
2. U18 faculty shall be free to participate in political action on campus.
3. Civil disobedience is a matter between the state and the individual, not between the University and the Lecturer, and civil penalties will not be used as grounds for UC investigation, discipline, or dismissal absent a felony conviction.
4. U18 faculty shall be protected from investigation, discipline or dismissal for public speech in any medium, including public events and speeches.
5. U18 faculty shall not face investigation, discipline, or dismissal for private speech in interactions with students, faculty, staff, and administration.
6. U18 faculty may create art or produce creative work to be disseminated in non-peer reviewed forums without being investigated, disciplined, or

dismissed by the university.

7. U18 faculty may not be investigated, disciplined, or dismissed for being employed outside of the UC system.asd
8. U18 faculty may not be investigated, disciplined, or dismissed for course content or subject matter covered while teaching or researching at a non-UC institution.
9. Faculty who collaborate with community members outside the university may not face investigation, discipline, or dismissal for choosing who they work with.
10. Non-reappointment, negative merit decisions, discipline & dismissal procedures may not be used as retaliation for engaging in speech, writing or action protected by this article.
11. U18 Faculty retain the freedom to choose what, if any, technology we incorporate into our teaching.

## **B. Process**

1. Any U18 Faculty member may file a complaint alleging that their academic freedom has been violated with the office of Academic Affairs at their campus.
2. Within 10 business days, the university shall meet and confer with the union to form a committee of three U18 Faculty Members from outside the department in which the allegations are made.
3. Following the constitution of the committee, the committee shall review the complaint and within 10 business days from the composition of the committee, issue a report on the merits of the complaint.
4. A U18 faculty committee finding that the university violated the terms of this article shall result in an immediate end to any suspensions, investigations, and/or disciplinary processes. No record of a suspension, initiation of an investigation, or disciplinary process may be left in the U18 faculty member's personnel records.
5. Any remedies in the committee's report shall be final and binding on both the university and the faculty member who brought the complaint.
6. A U18 faculty member suspended without pay will receive back pay in the full amount withheld if the committee finds that the university violated the terms of this article.
7. The process described in this article will be grievable in accordance with Article

32.