

**THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES
NOTICE OF CHANGE TO PROPOSED REGULATION**

REGULATION TITLE: Academic Freedom and Responsibility
REGULATION NO.: FPU-5.001

SUMMARY OF THE REGULATION: The regulation provides the rights and responsibilities of faculty, the Board of Trustees, and University administration as pertains to academic freedom and academic responsibility. The changes to the previous proposed regulation are printed in red font in the text below.

TEXT OF REGULATION: The full text of the Proposed Regulation can be viewed below and on the website of The Florida Polytechnic University Board of Trustees, <http://floridapolytechnic.org/board-of-trustees/university-policies-and-regulations/>. If you would like a copy of the Proposed Regulation, please contact Bacogie Luke, Administrative Assistant to the VP and General Counsel at (863)583-9061.

AUTHORITY: Board of Governors Regulations 1.001(3)(j) and 1.001(5)(a)

NAME OF PERSON INITIATING PROPOSED REGULATION: Dr. Ghazi Darkazalli

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

THE CONTACT PERSON REGARDING THIS REGULATION IS: Bacogie Luke, Administrative Assistant to the VP and General Counsel at 439 South Florida Avenue, Suite 300, Lakeland, Florida 33810, Email: bluke@floridapolytechnic.org, Phone: (863)583-9061, Fax: (863)583-9070.

DATE OF PUBLICATION: November 5, 2013

THE FULL TEXT OF THE REVISED PROPOSED REGULATION IS PROVIDED BELOW:

FPU-5.001 Academic Freedom and Responsibility.

(1) Policy. The University Administration and the Faculty shall fully maintain, encourage, and protect academic freedom.

(a) Academic freedom, ~~to include freedom of thought and expression, and responsibility are~~ is essential to the University. It includes both freedom of thought and expression, and ~~apply it applies~~ to teaching, research/creative activities, and professional, public, and University service. Academic freedom is accompanied by corresponding faculty and administration responsibilities, arising from the nature of the educational process.

(b) In order to ensure ~~within the University~~ an atmosphere of academic freedom ~~within the University~~, neither the University administration nor its representatives shall violate any faculty member's academic freedom or penalize a faculty member for the legitimate exercise of academic freedom.

(2) Academic Freedom. Faculty members shall be free to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, to speak freely on all matters of university governance without fear of University censorship, retaliation, or discipline.

(a) Teaching and Research/Creative Activity. Faculty members shall have the freedom to:

(i) Present and discuss academic subjects relevant to the course of instruction, including controversial material, frankly and in a forthright manner.

(ii) Select instructional materials and define course content (unless the affected department faculty decide to make group decisions).

(iii) Determine grades. The grade a current faculty member has determined for a student's performance shall not be changed without the faculty member's consent, except by the current University academic appeals process.

(iv) Freely engage in scholarly and creative activity and publish the results.

(b) Service. Service includes, but is not limited to, participation in the governance processes of the University, which is a fundamental aspect of academic freedom. Faculty shall have freedom to present ideas and discuss, frankly and in a forthright manner, academic policy, University governance, or other matters pertaining to the University.

(3) Academic Responsibility of Faculty Members. Academic freedom is accompanied by corresponding faculty responsibilities. Academic responsibility implies the competent performance of academic duties and obligations, the responsible exercise of academic freedom, and the commitment to support the responsible exercise of academic freedom by others. Members of the faculty are expected to:

(a) Observe and uphold the commonly accepted ethical standards of the University, which includes being forthright and intellectually honest in the pursuit and communication of scientific and scholarly knowledge.

(b) Treat students, staff, and colleagues in a manner consistent with the provisions of this regulation and the regulation on nondiscrimination.

(c) Respect the integrity of the evaluation process, including the privacy rights of students under law, and evaluate students, staff, and colleagues fairly according to the criteria and procedures specified in the evaluation process.

(d) Represent oneself as a spokesperson for the University only when specifically authorized to do so.

(e) Participate, as appropriate, in the system of academic governance, especially at the department/unit level.

(f) Observe the published University regulations, provided the regulations do not contravene academic freedom, which includes the faculty member's right to responsibly criticize and seek revision of those regulations.

(g) Refrain from engaging in a pattern of behavior that disrupts or obstructs the orderly and effective functioning of the department, college, or University. This section shall not be construed or used to inhibit vigorous and tough-minded academic disagreements which are a vital aspect of academic freedom or the right to free expression and thought, on or off campus. A pattern of disruptive or obstructive behavior must be demonstrated by timely documentation in the faculty member's evaluation file. Academic freedom is accompanied by corresponding responsibilities, including the duty to exercise appropriate restraint and to show appropriate respect for the right of others to hold differing opinions. Consequently, while academic disagreements are part of the orderly functioning of a university, appropriate constructive cooperation is also critical to the faculty member's effective performance as a member of the academy. However, there is a point beyond which a pattern of behavior exceeds the reasonable bounds of academic freedom and becomes disruptive and obstructive to the orderly and effective functioning of the institution. At that point, the faculty member's behavior is beyond the protection of academic freedom.

(4) Academic Responsibility of the Board and the University Administration. Academic freedom is accompanied by corresponding responsibilities of the Board and the University Administration. Academic responsibility implies a commitment to actively foster within the University a climate favorable to the responsible exercise of academic freedom. Therefore, it is the responsibility of the Board and the University Administration to:

(a) Ensure that academic freedom, to include freedom of thought and expression as guaranteed under the First Amendment of the Constitution of the United States of America, is not stifled or compromised.

(b) Treat students, staff, and faculty members in a manner consistent with the provisions of this regulation.

(c) Respect the integrity of the evaluation process, including the privacy rights under law of the students, faculty members, and staff; and evaluate students, faculty members, and staff fairly according to the criteria and procedures specified in the evaluation process.

(d) Prohibit unauthorized persons from entering or interrupting a faculty member's classroom or laboratory, except with prior permission from the responsible faculty member, or during legitimate emergencies. This provision shall not apply to administrators who are responsible for evaluating the faculty member. At the faculty member's request, University administration shall take appropriate action to enforce this provision.

(e) Respect and adhere to the principles of academic governance.

(f) Observe the published University regulations, provided that the regulations do not contravene academic freedom, which includes the faculty member's right to responsibly criticize and seek revision of the regulations.

(g) Refrain from engaging in behavior that directly undermines academic freedom, and freedom of thought and expression as described in this regulation or otherwise disrupt or obstruct the orderly and effective functioning of the department, college, or University.

Authority: FBOG regulation 1.001(3)(j) and 1.001(5)(a)

History: New ____

11.5.13RLD