

Academic Freedom, Protection of Professional Standards, and Responsibilities of Non-Faculty Academic Appointees

The fundamental mission of the University is to advance knowledge, to disseminate knowledge to its students and to society at large, and to inculcate in its students a mature independence of mind. In pursuit of this mission, the University depends upon professional contributions not only by its faculty, but also by its non-faculty academic appointees. For this reason, whenever appointees with academic titles listed in APM - 112-4(b) are engaged in teaching, research, scholarship, or the public dissemination of knowledge, as defined in APM - 010, they are entitled to the protections of academic freedom established in APM - 010, and they are obligated by the responsibilities specified in Part II of APM - 015, the Faculty Code of Conduct. Based upon the By-Laws and Standing Orders of the Regents, the Academic Senate is responsible for interpreting and applying the professional standards that define academic freedom of teaching, research, scholarship, and the public dissemination of knowledge.

When non-faculty academic appointees with titles listed in APM - 112-4(b) perform work that contributes to or supports the fundamental mission of the University, but that is not teaching, research, scholarship, or the public dissemination of knowledge, they must be free to pursue this work according to applicable, acknowledged, national, professional standards, if such standards exist, and are obligated by the responsibilities established by these standards. Such professional standards may be set by recognized professional organizations external to the University, or by other suitable sources of professional norms. The University recognizes such professional standards where they exist and is responsible for ensuring that they are respected. The UC Systemwide Provost shall have final authority to determine the existence of applicable national professional standards.

The Academic Senate has authority to adjudicate violations of academic freedom as defined in APM - 010. Grievances concerning academic freedom shall be adjudicated according to the privilege and tenure procedures specified by Senate Bylaw 335.

Grievances concerning violation of the professional standards described in the second paragraph of this section shall be adjudicated under the formal grievance procedures specified in APM - 140-32. In such cases the review procedures specified in APM - 140-32 shall be modified to include as a reviewer at least one academic appointee in the same job title series and with similar professional responsibilities as the grievant. The choice of reviewer will reside with the UC Systemwide Provost or designee, and the review shall be included in any Formal Grievance Appeal under APM - 140-33.

If the Academic Senate determines that a grievance by a non-faculty academic appointee with a title listed in APM - 112-4(b) does not concern protections guaranteed under APM - 010, the grievant has thirty (30) days from the Academic Senate's final decision to file under APM - 140 a grievance alleging a violation of the applicable national professional standards described in the second paragraph of this section.

Requiring academic appointees to perform the duties and functions mandated as part of their employment at the University is not a violation of the provisions of APM - 011.

In addition to the protections, privileges and responsibilities specified herein, all academic appointees 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.