

POLICY ON ACADEMIC FREEDOM AND RESPONSIBILITY

Principles of Community

California State University, Bakersfield is a multicultural community of persons from diverse backgrounds and sets of beliefs and values. As a community our university is committed to ensure that our programs, classes, lectures, activities and everyday interactions are enriched by our acceptance of one another and by striving to learn from each other in an atmosphere of positive engagement and mutual respect. As a university, we are committed to maintain a learning climate free from expressions of bigotry and to protect diversity and lawful free speech. Our university affirms and seeks to promote tolerance, civility, and mutual respect for diversity of background, gender, ethnicity, race, religion, political beliefs, sexual orientation, and physical abilities.

Principles of Academic Freedom

Freedom of inquiry and the open exchange of ideas are fundamental to the vitality of our academic institutions. The notion that freedom and national security are opposed denies the basic premise of a free democratic society where open exchange of information, public access to vital information, and ability to openly challenge governmental decisions without fear of reprisals, increases rather than hinders national security.

The principles of academic freedom are critical to ensure higher education's important contribution to the common good. Basic academic freedom includes the ability to do research and publish the freedom to teach and the freedom to communicate extramurally.

California State University is committed to assuring that all persons may exercise the rights of free expression, speech, and assembly and affirm below the following statements and principles:

1. CSU, Bakersfield strongly reaffirms its commitment to uphold and preserve the principles of Academic Freedom as contained in the 1940 Association of University Professors (AAUP) Statement on Academic Freedom and Tenure with the 1970 Interpretive Comments. These principles and comments have been widely adopted by many universities and Associations of Higher Education in the United States.
2. CSU, Bakersfield affirms that these principles reflect the fundamental mission of the University to discover and disseminate knowledge to its students and the society at large. CSU, Bakersfield shall support the pursuit of excellence and academic freedom in teaching, research, and learning through the free exchange of ideas among faculty, students, and staff.

The university and its community recognizes that quality education requires an atmosphere of academic freedom and academic responsibility for academic freedom is always accompanied by a corresponding concept of responsibility to the University and its students and the University and its students to its faculty and staff.

3. CSU, Bakersfield reaffirms that it is the faculty who have primary responsibility for and jurisdiction over establishing hiring criteria for faculty positions; that these criteria must derive exclusively from the professional standards set forth by scholarly/professional organizations and by campus faculty (according to the shared governance processes of the University); and that conditions of hiring never include reference to an individual's political affiliations.
4. CSU, Bakersfield affirms that academic freedom for student rests first upon their access to a high quality education and their right to pursue a field of study that they deem appropriate and desirable.
5. CSU, Bakersfield reaffirms its support of the principles of academic freedom as they apply to the rights of students in a class and university environment that fosters civil discourse, respect, open inquiry and freedom of expression.
6. CSU, Bakersfield affirms further that these principles also support the University's mission to foster in students a maturity and independence of mind by providing within the class and university an environment where students as well as faculty are free to express the widest range of viewpoints within the standards of scholarly inquiry and professional ethics.
7. Students have the right to disagree with the conduct or content of courses and to seek change, but such freedom does not include the right to disrupt orderly classroom activities or to avoid fulfillment of expectations of the course. Academic freedom for faculty members must include a means for seeking the censure or dismissal of students guilty of disruption, destruction, or unethical classroom behavior. This is done through the established university discipline procedures.
8. Academic freedom for students includes the rights of students to be fairly and competently evaluated and graded. Punitive grading is not acceptable except in the cases of cheating or plagiarism. The university provides established Student Grievance Procedures for students to seek redress in such matters.
9. Academic freedom includes the rights of both faculty and students to seek censure of faculty members by complaint, petition, or seeking discipline for incompetence or unprofessional behavior including improper and clearly documented intrusion on student rights to academic freedom. The university

POLICIES AND REGULATIONS

provides established procedures through its Committee on Professional Responsibilities for such redress. Complaints about infringement of such rights should be brought either to the Provost and Vice President for Academic Affairs or the University Ombudsman and then, after review, forwarded to the Chair of the Committee on Professional Responsibilities. Before such formal action is sought the normal informal procedures for grievance resolution should be followed. These informal procedures are described in the "Student Complaint and Academic Grievance Procedures" which may be found on the web page of Academic Programs.

Philosophy Regarding Academic Freedom in the Classroom. The expression of different points of view in the classroom by faculty and students is not only a right but also a responsibility. Although we cannot control the interpretations of others, we must always remember why we are here: to enlighten, nurture and educate. It is our responsibility to try to provide an environment of mutual respect in which individuals can express their opinions. Instructors often present controversial opinions (some of which they do not personally believe to be true) in order to stimulate conversations and higher reasoning amongst students. This ability must not be eroded. Students do have the right to be graded fairly and the right for professors and the university to protect their academic freedom. Having an ideological divergent opinion does not constitute grounds for punitive action.

NONDISCRIMINATION POLICY

CSUB is committed to maintaining an environment free from unlawful discrimination. To fulfill this commitment, the University will work to prevent unlawful discrimination from occurring and will ensure that University policies prohibiting discrimination are fully enforced. The University affirms and protects the rights of students and employees to seek and obtain the services of the University without unlawful discrimination. No employee or student shall on the basis of race, color, gender, religion, age, sexual orientation, marital status, pregnancy, disability, veteran status or national or ethnic origin be excluded from participation in, be denied the benefits of or be otherwise subjected to unlawful discrimination, including discriminatory harassment, under any program of the University. Employees and students who cause these rights to be violated may be subject to discipline. This policy should not be interpreted as superseding or interfering with collective bargaining agreements or other California State University policies and procedures currently in effect. If discipline of an employee is sought as a remedy under this policy, the procedural rights under applicable collective bargaining

agreements and system-wide procedures will continue to apply. However, those rights may not supersede or interfere with the requirements of state and federal law.

Responsible Office. In carrying out the applicable policies of the University, the Office of the Provost and Academic Vice President is responsible for responding to complaints of discrimination for faculty and students and the Director of Human Resources is responsible for responding to complaints from staff employees at the University. They arrange for investigations of such complaints and issues findings of fact following such investigation.

Upon receipt of a complaint alleging unlawful discrimination from applicants to, or participants in, any program administered by an approved University auxiliary organization, other than the Associated Students Incorporated (ASI), the Office of the Provost shall promptly acknowledge receipt of the complaint in writing and refer the investigation and resolution of such complaint to the auxiliary organization.

Complaints against the ASI will be referred to the Student Discipline Coordinator.

Filing of Complaints. Individuals who believe they are or may have been victims of discrimination and/or discriminatory harassment, may initiate either an informal inquiry or file a formal complaint.

Informal Inquiry. The intent of the informal inquiry process is to provide persons who are concerned that they might have a discrimination complaint with an opportunity to receive information and advice about the definition of discrimination, the legitimacy of their concerns, and the procedures that exist for resolving complaints. It seeks to provide an opportunity for an informal, yet fair, resolution of the inquiry, while preserving, to the greatest extent possible, the confidentiality of the parties involved in an atmosphere of mediation and conciliation. At any time during the informal inquiry and resolution process, the person making the inquiry may initiate a formal complaint.

The University designates the Student Ombudsman (Student Counseling Center) to receive informal inquiries from students, the Director of Human Resources (ADM 104, 661-654-2266), to receive informal inquiries from staff employees, and the Office of the Provost and Vice President for Academic Affairs (ADM 100, 661-654-2154) to receive informal inquiries from faculty.

In addition to giving information and advice, those designated to receive informal inquiries may seek to achieve informal resolution to problems by bringing