

NUMBER: 403
SUBJECT: ACADEMIC FREEDOM AND PROFESSIONAL RESPONSIBILITY
EFFECTIVE DATE: AUGUST 15, 2005
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403.1 — INTRODUCTION

Bridgerland Applied Technology College (BATC) is operated for the common good which depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to teaching and service. BATC is a community dedicated, through promulgation of thought, truth, and understanding, to teaching and service. It must; therefore, be a place where innovative ideas, original experiments, creative activities, and independence of thought are not merely tolerated but actively encouraged. Because thought and understanding flourish only in a climate of intellectual freedom, and because the pursuit of truth is fundamentally a personal enterprise, a statement of faculty responsibility must be strongly anchored to principles of intellectual freedom and personal autonomy. While faculty must abide by standards of professional responsibility, the College must provide and safeguard a climate of intellectual freedom. Relationships within the College should consist of shared confidence, mutual loyalty, and trust. Dealings should be conducted with courtesy, civility, decency, and a concern for personal dignity. Such an atmosphere can be achieved only when all concerned behave responsibly. While the right of academic freedom is respected, the exercise of the right cannot be through disruptive actions or physical force.

403.2 — ACADEMIC FREEDOM

Academic freedom is the right to teach, study, discuss, investigate, discover, create, and publish freely. Academic freedom protects the rights of faculty members in teaching and of students in learning. The faculty member is entitled to full freedom in teaching and creative activities, subject to the limitations imposed by professional responsibility.

403.2.1 — Freedom and Responsibilities of the College

Subject to the power and authority of the Utah State Legislature and the Utah College of Applied Technology (UCAT), BATC has the freedom to pursue its ends without interference from government. Included therein are the four (4) essential freedoms of BATC to determine for itself on academic grounds: (1) who may teach; (2) what may be taught; (3) how it shall be taught; and (4) who may be admitted to study.

BATC consists of many components all of which support the interactive, collegial enterprise that exists in the quest for knowledge and its transmittal. The College has the general responsibility to protect the academic freedom of every faculty member and the freedom of every student to learn. BATC itself shall not violate the academic freedom of any faculty member or the freedom of any student to learn and shall use its powers and resources to defend its faculty and students from unjustified attempts to compromise or restrict those freedoms.

403.2.2 — Violations of Academic Freedom or Standards and Regulations

Persons having a formal association with BATC shall not be involved in acts which violate the academic freedom or constitutional rights of others or the standards and regulations of BATC or UCAT.

403.3 — PROFESSIONAL RESPONSIBILITY—STANDARDS OF CONDUCT

The concept of academic freedom is accompanied by an equally demanding concept of professional responsibility. The standards for professional responsibility listed in the following subsections are standards to which faculty members are expected to adhere. BATC faculty members are citizens, members of learned professions, and officers of an educational institution. When speaking or writing as citizens, faculty members are free from institutional censorship or discipline, but their special position in the community imposes special obligations. As individuals of learning and as educational officers, they should understand that the public may judge their profession and their institution by their individual utterances. Hence, they should at all times strive to be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they are not speaking for the institution.

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403.3.1 — Standards of Conduct—Responsibilities to Student

- (a) Faculty members engage in reasonable and substantial preparation for the teaching of their courses, appropriate to the educational objectives to be achieved.
- (b) Faculty members meet scheduled classes. Schedules are altered or classes canceled only for valid reasons and only after adequate notice is given to students and to the department head or other appropriate administrative authority. Failure to meet a class without prior notice to students is excusable only for reasons beyond the control of the faculty member.
- (c) Faculty members inform students of the general content, requirements, and evaluation criteria at the beginning of any course that they teach. Faculty members evaluate student course work promptly, conscientiously, without prejudice or favoritism, and consistently with the criteria stated at the beginning of the course and related to the legitimate academic purposes of the course.
- (d) Faculty members with teaching responsibilities maintain regular office hours for consultation with students, or they otherwise assure accessibility to students.
- (e) Faculty members do not plagiarize the work of students. When faculty members and students work together, appropriate credit is given to the students. Faculty members do not limit or curtail the right of any student to publish or otherwise communicate the result of the student's own independent scholarly activities.
- (f) Faculty members do not use their positions and authority to obtain uncompensated labor or to solicit gifts or favors from students. Faculty members do not ask students to perform services unrelated to legitimate requirements of a course unless the student is adequately compensated for such services.
- (g) Faculty members do not reveal matters told to them in confidence by students except as required by law, and then only to persons entitled to such information by law or institutional regulation. Faculty members may, however, report their assessment of a student's performance and ability to persons logically and legitimately entitled to receive such reports.
- (h) Faculty members create and maintain environments in which students are provided the opportunity to do original thinking, research, and writing.
- (i) Faculty members avoid the misuse of the classroom by preempting substantial portions of class time for the presentation of views on topics unrelated to the subject matter of the course. Faculty members do not reward agreement or penalize disagreement with his or her views on controversial topics.
- (j) Faculty members do not engage in the sexual harassment or any other form of discrimination of students.

403.3.2 — Standards of Conduct—Professional Obligations

- (a) Faculty members do not plagiarize nor do they permit the appearance that they are the author of work done by others.
- (b) Faculty members do not falsify data either by deliberate fabrication or selective reporting with the intent to deceive.

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- (c) Faculty members do not misappropriate other's ideas.
- (d) Faculty members do not misuse privileged or otherwise confidential information.
- (e) Faculty members exercise "reasonable care" in meeting their obligations to their associates when they are engaged in a joint professional effort.
- (f) Faculty members do not exploit their positions for personal or pecuniary gain when supervising the professional work of others.
- (g) Faculty members exercise "reasonable care" in meeting their commitments to the institution and to funding agencies where appropriate in publication or other professional endeavors.
- (h) Faculty members keep informed and knowledgeable about developments in their fields.
- (i) Faculty members do not engage in the sexual harassment, or any other form of discrimination, of other faculty members or any employee of BATC.

403.3.3 — Standards of Conduct—Responsibilities to the Institution

- (a) Faculty members conduct themselves in an open, fair, civil, and humane manner both in general and when making decisions or recommendations concerning admissions, employment, promotion, retention, and other professional matters. Faculty members do not harass or discriminate against anyone on the basis of race, color, religion, sex, national origin, age, veteran status, or marital or parental status; the presence of any sensory, physical or mental disability or handicap; or for any other reason impermissible under applicable constitutional or statutory provisions.
- (b) Faculty members may engage in outside professional activities which improve their academic skills and have a legitimate relationship to their academic service. However, faculty members comply with policies restricting the amount of time spent on non-institutional commitments, including outside consulting and other non-institutional employment. They also comply with state law and institutional regulations relating to conflicts of interest.
- (c) Faculty members do not exploit the institution's name or their relationship to the institution for personal reasons unrelated to their legitimate academic or professional activities. They avoid creating the impression that they are representing the institution in public appearances or statements, unless, in fact, they are.
- (d) Faculty members do not purposely destroy institutional property, purposely disrupt institutional programs, purposely inflict physical injury or threaten such injury to other persons on Campus, or purposely interfere with the legitimate activities of other persons on Campus, nor do they purposely and unlawfully incite others to engage in such destruction, disruption, injury, or interference. Provided, however:
 - (i) non-violent reaction from members of an audience at a meeting or program open to the public shall not be considered disruption or interference of legitimate activities, unless such reaction occurs for the purpose of preventing the continuation of the program and has a reasonable likelihood of succeeding.
 - (ii) Mere advocacy or expression shall not be considered incitement, unless the advocacy or expression poses a clear and present danger of the imminent occurrence of destruction, disruption, injury, or interference.

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- (e) Faculty members do not misappropriate institutional property or knowingly use it in violation of state or federal law.
- (f) Faculty members do not knowingly mislead the institution by falsely asserting facts relevant to their qualifications as faculty members or their eligibility for institutional benefits.
- (g) Faculty members adhere to the drug-and alcohol-free workplace policy.

403.3.4 — Standards of Conduct—Responsibilities of Citizenship

Faculty members share the general legal duties of citizenship. Faculty members who violate state or federal law may expect no immunity or special protection by reason of faculty status. As with other citizens, breaches of legal duty by faculty members are matters for disposition by the legal system. BATC will not commence disciplinary proceedings for violations of law unless such violations directly relate to the College or adversely impact BATC's purposes and mission. BATC reserves the right to bring disciplinary proceedings against faculty members who are charged with unlawful conduct, which also constitutes a violation of a standard of conduct of this policy.

403.3.5 — Definition of Reasonable Care

This term, which is familiar to the law, means that the level of performance required of a faculty member is that which is recognized in the profession as reasonable in the light of the obligations which he or she has assumed, competing demands upon his or her energy and time, nature and quality of his or her work, and all other circumstances which the academic community would properly take into account in determining whether he or she was discharging his or her responsibilities at an acceptable level.