

Academic Freedom, Protection of Professional Standards, and Responsibilities of Non-Faculty Academic Appointees¹

The fundamental mission of the University is to advance knowledge, to disseminate knowledge to its students and to society at large, and to foster 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 academic appointees with non-faculty 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.² 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 academic appointees with non-faculty 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. These 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 are not inconsistent with the University's mission, vision, and values. The University is responsible for ensuring that such standards are respected. The Provost and Executive Vice President, with appropriate consultation, shall have final authority to determine the existence of applicable national professional standards.

The Academic Senate has sole authority to adjudicate violations of academic freedom as defined in [APM - 010](#). Grievances concerning academic freedom shall follow the privilege and tenure procedures specified by [Senate Bylaw 335](#), which for this purpose shall apply to non-faculty academic appointees.

Grievances concerning violation of the professional standards described in the second paragraph of APM - 011 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 an advisor to the reviewer. The advisor shall be an academic appointee in the same professional community, and with similar responsibilities, as the grievant, and will advise the reviewer on all aspects of the grievance

¹ APM - 011 does not apply to represented Academic Researchers (Professional Researchers, Project Scientists, Specialists, and Coordinators of Public Programs), who are represented by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), as they have declined to have APM - 011 apply to them. Academic Researchers who are not represented by the UAW are covered by APM - 011.

² Because students, and those with academic student employee and mentored/trainee titles, are covered by the freedom of scholarly inquiry set forth in Appendix B of [APM - 010](#), APM - 011 does not apply to them. APM - 011 is also inapplicable to administrators with underlying faculty appointments (e.g., Deans, Department Chairs, and Faculty Administrators), whose academic freedom as a faculty member is covered by [APM - 010](#) – Academic Freedom.

procedure as they apply to the professional standards upon which the grievance is based. The choice of advisor will reside with the Provost and Executive Vice President or designee, and the advisor shall also be consulted in the Formal Grievance Appeals under [APM - 140-33](#).

If the Academic Senate determines that a grievance by an academic appointee with a non-faculty 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.

The resolution of grievances filed under the second paragraph of APM - 011, and the reasons for those resolutions, shall be made publicly available by the Provost and Executive Vice President, after making due allowances to preserve the privacy of the parties.

Requiring non-faculty 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. Supervisors retain authority to direct the professional activities of those they supervise, as long as non-faculty academic appointees are not directed to violate the national professional standards that apply to them.

In addition to the protections, privileges and responsibilities specified herein, all non-faculty 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.

Revision History

February 1, 2020:

- First published in the Academic Personnel Manual.