
ARTICLE 8: FACULTY RIGHTS

8.0 – Faculty

“Faculty” referenced in this article are defined as full-time teaching faculty, librarians, counselors, professors/directors, and professor/program managers employed in regular (tenure-track or tenured) positions.

8.1 –Academic Freedom

Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to both teaching and research.

A faculty member, whether tenured or not, is entitled to academic freedom. The Seminole State College community is committed to intellectual inquiry, academic rigor, thoughtful exploration, and the civil exchange of ideas. It is the policy of the Board that the College strive to maintain an atmosphere in which students and faculty have ample opportunity to explore the full spectrum of ideas, opinions, and beliefs.

A. In recognition of the principle of academic freedom at Seminole State College the parties affirm that faculty members must be free of any arbitrary limitations on the study, investigation, presentation, interpretation, or communication of facts and ideas in any branch of learning consistent with the standards and practices of academic inquiry.

1. Faculty are free to discuss their subject but they should be careful not to introduce into their teaching controversial matter that is unrelated to their subject.

~~2. A faculty member is entitled to full freedom in~~ are free to conduct research and ~~in the to publish publication of~~ the results, subject to adequate performance of ~~his~~ their other academic duties.

~~2. A faculty member is entitled to freedom in the classroom in discussing his subject, in devising and selecting teaching strategies and educational materials, and in using them to present his subject. However, he shall not introduce a controversial matter that has no relation to his subject.~~

B. Faculty are private citizens, members of a learned profession, and respected employees of an educational institution. When they speak or write as private citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. They should at all times be

41 ~~objective and accurate, and should exercise appropriate restraint and responsibility as referenced~~
42 ~~by College Policy 4.010. Moreover, it is understood that faculty members are employees of a~~
43 ~~public educational institution as well as being citizens and members of a learned profession.~~
44 ~~When he speaks or writes as a citizen, he should be free from institutional censorship or~~
45 ~~discipline. By accepting academic freedom, each individual faculty member also accepts the~~
46 ~~following responsibilities for preserving that freedom:~~

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48 1. ~~———— To maintain scholarly competence~~
49 2. ~~———— To confine himself to his area of competence~~
50 3. ~~———— To be objective~~
51 4. ~~———— To speak his conclusions~~
52 5. ~~———— To speak officially for the College only when authorized~~
53 6. ~~———— To defend the academic freedom of his colleagues~~

54
55 ~~C. The administration of the College guarantees academic freedom by making sure that all~~
56 ~~faculty members are protected from the threats of economic deprivation and discriminatory~~
57 ~~dismissal. The faculty subscribe to this statement of academic freedom with the firm belief that~~
58 ~~academic freedom neither implies the granting of license nor releases anyone of his contractual~~
59 ~~and legal duties. This statement does not diminish anyone's rights as provided under the~~
60 ~~Constitution of the United States of America.~~

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62 8.2 – Bargaining Unit Member Rights

63 All rights, privileges and benefits expressed in this agreement shall remain in effect only for the
64 duration of this agreement. ~~In the event the College intends to modify any right, privilege, or~~
65 ~~benefit enjoyed by the faculty which is not specifically provided for in this Agreement, the~~
66 ~~College agrees to give notice to the Union and provide an opportunity to negotiate any changes~~
67 ~~prior to implementation.~~

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69 ~~Nothing in this shall preclude the Union's right to impact bargaining.~~

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71 8.3 – Union Representation (~~Weingarten Rights~~)

72 A faculty member who has the expectation that disciplinary action may be ~~initiated~~ imposed by
73 the College has the right to request a ~~Union representation~~ representative at any such meeting
74 with the College administration. ~~The decision whether to represent or accompany a faculty~~
75 ~~member who is not a member of the Union rests solely with the Union.~~

76
77 8.4 – Non Discrimination for Union Activities

78 A. All full-time faculty of the College shall have the right to join or to refrain from joining the
79 Union. Neither the College nor the Union shall discriminate against any employee covered by
80 this Agreement because of Union membership or non-membership.
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82 B. Any claim or charge of discrimination regarding Union activity may be processed through the
83 grievance procedure provided for in this Agreement: provided the employee waives any right to
84 seek relief as an unfair labor practice before PERC. [per the College's position in Article 11:
85 Grievance and Arbitration, paragraph J.]

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87 8.5—Right to Privacy

88 An employee has the right to privacy with regard to his personal and private life, including, but
89 not limited to, religious and political activities, unless such actions are demonstrably detrimental
90 to the College. The College shall take no action against faculty members for activities pertaining to
91 their private or personal lives except as may otherwise be provided by statute or state board rule to
92 that effect. [Covered in Article 17: Disciplinary Actions and Procedures, paragraph 17.1A.]

93
94 8.6.5 – Personnel Files

95 A. There shall be one official personnel file for each faculty member. The official file shall be
96 maintained in the College's Office of Human Resources. Any records that relate to a faculty
97 member's performance or evaluation will be filed in the faculty member's limited access file (or
98 limited access section of their personnel file) in the Office of Human Resources. The faculty
99 member's limited access file may be released by the records custodian only upon written
100 authorization from the faculty member or upon order of a court of competent jurisdiction as
101 provided by Florida statutes. Written authorization to review a faculty member's personnel files
102 will be filed in the personnel file.

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104 B. No derogatory materials relating to a faculty member's conduct, service, character, or
105 personality shall be placed in the personnel file except for materials pertaining to work
106 performance or such other matters that may be just cause for discipline, suspension or dismissal
107 under the laws of Florida.

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109 C. No anonymous complaints shall be entered into or maintained in the faculty member's
110 personnel file.

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112 DB. Faculty ~~members~~ shall be permitted to examine the contents of their official personnel file.
113 Faculty ~~members shall have the right to~~ may answer or respond to any material in their official
114 personnel file and ~~to have that answer attached~~ attach such matter pursuant to the laws of the State of
115 Florida.

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117 EC. Faculty ~~members shall have a right to~~ may secure a copy of their official personnel file and may
118 request a waiver of any fees for production of the copy, which request shall not be unreasonably
119 denied.

121 8.7.6 – Outside Employment

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123 A. The College recognizes that faculty members may engage in outside employment and
124 consultant activities. A full-time faculty member shall not engage in outside employment or self-
125 employment which:

- 126 • Conflicts with required work hours at the College.
- 127 • Adversely affects College job performance.
- 128 • Might reasonably be considered to conflict with College goals and objectives in the
129 community.

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131 B. Faculty members who engage in outside employment or self-employment shall not conduct
132 business with students. Faculty members who have outside employment or self-employment
133 shall not conduct business with employees during employees' scheduled work hours, nor use any
134 College resources, equipment or supplies for such purposes. Faculty may not use their position
135 with the College for personal gain through outside employment. Such outside employment shall
136 not bring discredit to the College nor should the name of the College be used to acquire an
137 outside position.

138
139 C. Faculty members may who engage in employment outside of the College provided that notice
140 of such employment is provided to the employee's will notify their immediate Supervisor in
141 advance when possible, but in no event later than ten (10) business days from the start of such
142 employment. ~~An employee shall not accept outside employment which will interfere with~~
143 ~~his/her duties at the College.~~

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145 8.8.7 – Consultant Fees

146 A faculty member shall have the right to any consultant fees earned which are not in violation of
147 the laws of the State of Florida ~~or College policy (reference College Policy 2.190.):~~

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149 8.9.8 – Faculty Offices

150 A. The College shall make reasonable efforts to provide adequate office space, equipment, and
151 facilities for student conferences. ~~provide each faculty member with a lockable office, with no~~
152 ~~more than two faculty members assigned to the same office. Each faculty member shall have a~~
153 ~~computer with Internet access, a lockable desk and at least a lockable file cabinet, a bookcase, a~~
154 ~~desk chair, and a student chair. Offices shall be located near the faculty member's classes~~
155 ~~whenever possible. Offices shall meet or exceed minimum size requirements as required by~~
156 ~~applicable state statutes, administrative rules, and/or state space utilization policies/procedures.~~

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158 ~~The faculty member, Union, and the College may mutually agree to temporary exceptions to the~~
159 ~~above in the event temporary reassignments are needed for remodeling or similar purposes.~~

161 B. The College shall provide at least one telephone for each full-time faculty member's office.
162 The use of telephones by the faculty member shall be in accordance with the ~~administrative~~
163 ~~rules~~College policies and procedures. Any violation of ~~administrative rules~~College policies and
164 procedures may be grounds for disciplinary measures. The faculty member shall be permitted to
165 use ~~his~~the office phone for long-distance calls that are required to conduct College business. The
166 faculty member shall be permitted to use ~~his~~the office phone for collect or credit card long-
167 distance calls that are at no expense to the College.
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169 C. Faculty members will have unimpeded access to their offices during normal operating hours
170 on days of normal campus operations. If access is needed after normal operating hours, the
171 faculty member will be granted access within a reasonable time by contacting the appropriate
172 campus security office and upon verification of faculty identification.
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174 ~~D. The College shall safeguard the security of College property including offices, equipment~~
175 ~~and files.~~
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177 8.10-9 – Parking

178 ~~Designated faculty parking shall be provided on each campus.~~The College shall provide these
179 ~~facilities free of charge~~free parking for faculty on each campus. Traffic and parking regulations
180 ~~will be enforced according to College procedures, including the imposition of fines. and within a~~
181 ~~reasonable distance of each building where faculty offices are located. Such designation shall be~~
182 ~~for twenty-four (24) hours, seven (7) days per week. Where feasible, the College also shall~~
183 ~~provide parking spaces as close to the building entrances as possible with appropriate signage~~
184 ~~designating them as loading zones. The College shall keep the parking areas maintained, lighted,~~
185 ~~and protected with appropriate security.~~
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187 8.11-10 – Access to College Mail

188 A. The College shall make its internal mail service available to each faculty member. Each
189 faculty member will be provided a mailbox or other appropriate at his assigned campus and will
190 have access to his mail through mail service personnel and/or a keyed box during reasonable
191 operating hours of the College.
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193 B. The College will provide an email account and access to each faculty member. At a
194 minimum, email access shall be provided in the faculty member's office and via the Internet or
195 virtual private network (VPN) from off campus.
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197 8.12 – Legal Assistance

198 ~~Legal assistance shall be provided to a faculty member when the College President or his~~
199 ~~designee determines, after investigation, that action taken by the faculty member was justifiable~~
200 ~~and occurred in the course of his employment. The specifics of such assistance will be~~
201 ~~determined by the President.~~

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~~8.13—Retired Faculty Members~~

~~A retired faculty member in good standing shall have privileges to use the College’s facilities such as wellness programs and equipment and library facilities (access to materials and electronic resources, checkout materials, etc.). Retired faculty members shall retain discounts for events at College-affiliated organizations as afforded to current faculty members and subject to agreements with College-affiliated organizations. Retired faculty members shall retain their e-mail account and e-mail access after separation. All benefits as above are subject to and consistent with the policies applicable to regular, full-time faculty members.~~