

Whereas the collective bargaining agreement between the WCCFT and the County of Westchester provides for “...full freedom, within the law, of inquiry, teaching and research”; and

Whereas, the AAUP, in its 1940 Statement of Principles on Academic Freedom and Tenure states, “A faculty right that flows from a “teacher’s freedom in the classroom” is the assessment of student academic performance, including the assignment of particular grades; and

Whereas, the 1940 AAUP statement on the principles of academic freedom in higher education is the recognized standard-bearer; and

Whereas, the language on academic freedom of the Collective bargaining agreement between the County and the WCCFT is modeled on the 1940 AAUP statement; and

Whereas, the AAUP in its statement on *The Assignment of Course Grades and Student Appeal* “...establishes the following principles in assigning grades: (1) the faculty has the responsibility for the assignment of grades; (2) students should be free from prejudicial or capricious grading; and (3) no grade may be assigned or changed without faculty authorization. It provides, in relevant part, that administrators should not "substitute their judgment for that of the faculty concerning the assignment of a grade. The review of a student complaint over a grade should be by faculty, under procedures adopted by faculty, and any resulting change in grade should be by faculty authorization”
and

(Underlining added)

Whereas in the case of *Parate v. Isibor*, 868 F.2d 821 (6th Cir 1986) the court ruled:

The freedom of the university professor to assign grades according to his own professional judgment is of substantial importance to that professor. To effectively teach her students, the professor must initially evaluate their relative skills, abilities, and knowledge. The professor must then determine whether students have absorbed the course material; whether a new, more advanced topic should be introduced; or whether a review of the previous material must be undertaken. Thus, the professor's evaluation of her students and assignment of their grades is central to the professor's teaching method; and

Whereas, educational research has consistently established grading as a teaching method; and

Whereas, Supreme Court declared in *Regents of the University of Michigan v. Ewing*, 474 U.S. 214 (1985)

When judges are asked to review the substance of a genuinely academic decision . . . they should show great respect for the faculty's professional

judgment. Plainly, they may not override it unless it is such a substantial departure from accepted academic norms as to demonstrate that the person or committee responsible did not actually exercise professional judgment. (Underlining added); and

Be it resolved, the members of the WCCFT call upon the administration of the college to assert its commitment to the sections of the collective bargaining agreement which guarantee faculty full freedom of inquiry, teaching and research ; and

Be it resolved, the membership of the WCCFT call upon the college administration to assert its commitment to the widely accepted standards of the AAUP that confer on faculty maximum discretion in teaching, assessing and grading students.