

**Committee on Academic Freedom  
Conditional Report:**

**What are the Rights and Obligations of a Faculty Member in  
the Construction of a Course Syllabus?**

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## What are the Rights and Obligations of a Faculty Member in the Construction of a Course Syllabus?

- I. The American Association of University Professors (AAUP) clearly states that instructors have the academic freedom to determine how they approach the subject of their courses. “The freedom to teach includes the right of the faculty to select the materials, determine the approach to the subject, make the assignments, and assess student academic performance in teaching activities for which faculty members are individually responsible, without having their decisions subject to the veto of a department chair, dean, or other administrative officer.”<sup>1</sup> However, the AAUP acknowledges that “[t]eaching duties commonly shared among a number of faculty members require a significant amount of coordination and the imposition of a certain degree of structure, often involving a need for agreement on such matters as general course content, syllabi, and examinations.”<sup>2</sup>
  - A. Hence, regarding syllabi, in cases of multi-sectioned courses taught by multiple instructors, a department *may* democratically decide that all instructors have some common features on their respective syllabi. However, the AAUP is careful to note such decisions ought to involve “substantial reflections and discussion by all those who teach the courses.”<sup>3</sup>
  - B. Additionally, any agreement about common syllabus features must ultimately not conflict with the Course Outline of Record.
- II. Further, an institution’s Academic Senate or any committee of an institution’s Academic Senate does not have the power to direct or enforce how a faculty member *must* construct their syllabus. To do so would be an infringement on the faculty member’s academic freedom. In addition, faculty are not managerial “supervisors” over other faculty, and therefore, do not have the authority to play such a role (Ed. Code, § 87610.1e).

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<sup>1</sup> “Statement on the Freedom to Teach,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

<sup>2</sup> “Academic Freedom in the Medical School,” AAUP, *Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 71-72.

<sup>3</sup> *Ibid.* The text goes on to suggest “The department should have a process for periodically reviewing curricular decisions and altering them based on a consensus of the appropriate teaching faculty, subject to review at other levels of governance.” In short, a democratic and self-reflexive process involving all faculty teaching the course(s) appears to be the optimum approach for choosing common content including textbooks and syllabi content/structure.

The following are some clarifications and qualifications of the above:

- A. Faculty are hired with the understanding that they are competent in their fields of study and know how to construct their syllabi.
- B. There are some syllabus items that are required by the State for accreditation. These items include college name, course title, prefix and number, the term for which the course is being taught, the section number, and the student learning outcome(s). Such items ought to be included in any syllabus. The COCFA Collective Bargaining Agreement (Article XII), and the AFT Contract (Article XX) also require that office hours be included on the course syllabus.
- C. Other than the restriction in I.B, and the required items listed in II.B, faculty have the academic freedom to construct their syllabi as they see fit.
- D. There are important distinctions between best practices, what individual faculty prefer to include on a syllabus, and what information is optimal for students to succeed in a given course. But the above concerns are separate from what is required to be on any course syllabus.

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