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**APPENDIX H**  
**UNIVERSITY POLICY ON**  
**FACULTY CONDUCT**

## APPENDIX H

### UNIVERSITY POLICY ON FACULTY CONDUCT

#### H.1 INTRODUCTION

##### H.1.1 ACADEMIC FREEDOM

- A. Regents' Policy Statement  
*Academic freedom should be distinguished clearly from constitutional freedoms, which all citizens enjoy equally under the law. Academic freedom is an additional assurance to those who teach and pursue knowledge and, thus, pertains to rights of expression regarding teaching and research within specific areas of recognized professional competencies (Section 3.4.a4, RUSO) (See Chapter 2.10).*
- B. It is the policy of the university to protect academic freedom for faculty members, while ensuring fair, equitable, and responsible actions and behavior on the faculty's part. Academic freedom confers certain privileges, but carries with it certain obligations and responsibilities on the part of faculty members. The university policy on faculty conduct:
1. Outlines the privileges that academic freedom confers to faculty, along with the obligations and responsibilities that go hand in hand with these privileges.
  2. Encourages and preserves faculty integrity and the highest standard of ethical behavior and conduct among the faculty of the University of Central Oklahoma.
  3. Establishes the procedure to address alleged violations of those obligations and responsibilities.

#### H.2 ETHICAL PRINCIPLES, FACULTY RESPONSIBILITIES, AND UNACCEPTABLE FACULTY CONDUCT

##### H.2.1 INTRODUCTION

- A. Faculty members' efforts in the areas of teaching and guiding students; pursuit of independent scholarship; and professional service to colleagues, to the university, and to the community require an adherence to the highest standards of professional conduct and ethical behavior.

The common areas in which unacceptable behavior may occur are listed below.

This is not intended to be an exhaustive listing but is for illustration only.

## H.2.2 SCHOLARSHIP

### A. Regents' Policy Statement

1. *Faculty members are entitled to freedom regarding research and in the publication of the results, subject to the adequate performance of instructional and non-instructional duties. Patent and copyright ownership will be vested in manner consistent with Board policy (Section 3.4.a1, RUSO). (See Chapter 2 for more information.)*
2. *Faculty members are entitled to freedom in the classroom in discussing their subject, but faculty should be objective in teaching of a controversial matter which has relation to that subject and of controversial topics introduced by students. The faculty member should not introduce controversial matters which have little or no relation to the subject of instruction (Section 3.4.a2, RUSO).*
3. *Faculty members have responsibilities to their students. They shall encourage in students the free pursuit of learning and independence of mind, while holding before them the highest scholarly and professional standards. Faculty members shall show respect for the student as an individual and adhere to their proper role as intellectual guides and counselors. They shall endeavor to define the objectives of their courses and to devote their teaching to the realization of those objectives. A proper academic climate can be maintained only when faculty members meet their fundamental responsibilities regularly, such as preparing for and meeting their assignments, conferring with and advising students, evaluating fairly and participating in group deliberations which contribute to the growth and development of students and the university. All faculty members also have the responsibility to accept those reasonable duties assigned to them within their fields of competency, whether curricular, co-curricular, or extra-curricular. Faculty members make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflects their true merit. They do not exploit students for private advantage and acknowledge significant assistance from them. They protect students' academic freedom (Section 3.4.b3, RUSO).*

- B. The faculty member must practice intellectual honesty by exercising critical self-discipline and judgment in using, extending, and transmitting knowledge. The faculty member is held to the highest standards of ethical behavior and professional conduct in his/her scholarly pursuits.

### C. Examples of unacceptable conduct include, but are not limited to:

1. Falsification of credentials;
2. Plagiarism and other improper assignment of credit for work;
3. Improper use of information obtained by privileged access;
4. Scientific misconduct or misrepresentation or fabrication;

5. Failure to comply with federal, state, or university laws, regulations and/or policies governing research; and
6. Making false accusations of misconduct.

### H.2.3 TEACHING AND STUDENTS

#### A. Regents' Policy Statement

##### 1. Ethical Principles

- a. *Faculty members are entitled to freedom in the classroom in discussing their subject, but faculty should be objective in teaching of a controversial matter which has relation to that subject and of controversial topics introduced by students. The faculty member should not introduce controversial matters which have little or no relation to the subject of instruction (Section 3.4.a2, RUSO).*
- b. *Faculty members have responsibilities to their students. They shall encourage in students the free pursuit of learning and independence of mind, while holding before them the highest scholarly and professional standards. Faculty members shall show respect for the student as an individual and adhere to their proper role as intellectual guides and counselors. They shall endeavor to define the objectives as of their courses and to devote their teaching to the realization of those objectives. A proper academic climate can be maintained only when faculty members meet their fundamental responsibilities regularly, such as preparing for and meeting their assignments, conferring with and advising students, evaluating fairly and participating in group deliberations which contribute to the growth and development of students and the university. All faculty members also have the responsibility to accept those reasonable duties assigned to them within their fields of competency, whether curricular, co-curricular, or extra-curricular. Faculty members make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflects their true merit. They do not exploit students for private advantage and acknowledge significant assistance from them. They protect students' academic freedom (Section 3.4.b3, RUSO).*

- B. The faculty member must maintain awareness that his or her personal values affect the selection of courses, materials, and presentation style. In addition, the faculty member should:

1. Recognize and respect a diversity of opinion among students;
2. Demonstrate respect for the student as an individual;
3. Adhere to the proper role as their intellectual guide and counselor;
4. Make every reasonable effort to foster honest academic conduct and assure

that the evaluation of students accurately reflects the student's academic performance;

5. Avoid misleading students regarding the factual basis of ideas or findings;
6. Respect the confidential nature of the relationship between teacher and student; and
7. Avoid situations in which the actions of the faculty member may be affected by relationships or associations, i.e., sexual, family, or business, professional, or commercial relationships. (see 3.8 Relatives as Students)

C. Examples of unacceptable conduct include, but are not limited to:

1. Failure to meet the responsibilities of instruction including:
  - a. Arbitrary or unwarranted denial of access to instruction;
  - b. Repeated inclusion of material unrelated to course objectives to the extent that the objectives are compromised;
  - c. Repeated failure, without legitimate reason, to adhere to the responsibilities of the faculty member to meet class, to keep office hours, and to hold examinations as scheduled;
  - d. Repeated dismissal or cancellation of class, without legitimate reason, to the extent that course objectives are compromised; and
  - e. Evaluation of student work by criteria not directly reflective of course performance.
2. Discrimination for or against a student for reasons of politics, race, religion, gender, national origin, disability, age, veteran status, sexual orientation, or for other arbitrary or personal reasons.
3. Use of the position or powers of a faculty member in such a manner that would violate the Sexual Harassment Policy (Chapter 2, Section 2.10).
4. Presenting research results in a biased manner to malign or privilege persons in arbitrary social categories.

## **H.2.4 THE UNIVERSITY**

A. Regents' Policy Statement

1. Ethical Principles

- a. *The concept of academic freedom must be accompanied by an equally-demanding concept of academic responsibility. The concern of the university and its members for academic freedom safeguards must extend equally to requiring responsible service, consistent with the objectives of the university (Section 3.4.b1, RUSO).*
- b. *Faculty members have responsibilities to their discipline and to the advancement of knowledge generally. Their primary obligation in this respect is to seek and to state the truth as they see it. To this end, they shall devote their energies to developing and improving their scholarly competence. They shall exercise critical self-discipline and judgment in using, extending, and transmitting knowledge and they shall practice intellectual honesty (Section 3.4.b2, RUSO).*
- c. *Faculty members have responsibilities to the educational institution in which they work. While maintaining their right to criticize and seek revisions, they shall observe the stated regulations of the institution. Faculty members shall determine the amount and character of the work they do outside their institution with due regard to their paramount responsibilities within it. When considering the interruption or termination of his or her service, the faculty member recognizes the effect of such a decision upon the program of the institution and gives due notice of the decision (Section 3.4.b6, RUSO).*
- d. *Institutions of higher education are committed to open and rational discussion as a principal means for the clarification of issues and the solution of problems. In the solution of certain difficult problems, all members of the academic community must take note of their responsibility to society, to the institution, and to each other, and must recognize that at times the interests of each may vary and will have to be reconciled. The use of physical force, harassment of any kind, or other disruptive acts which interfere with ordinary institutional activities, with freedom of movement from place to place on the campus, or with freedom of all members of the academic community to pursue their rightful goals, are the antitheses of academic freedom and responsibility. So, also, are acts which, in effect, deny freedom to speak, to be heard, to study, to teach, to administer, and to pursue research. It is incumbent upon each member of the academic community to be acquainted with his individual responsibilities, as delineated by appropriate institutional statements found in the faculty handbook (Section 3.4.b5, RUSO).*

- B. The university upholds the principle of academic freedom, providing the faculty member with free choice in matters of the presentation and delivery of curriculum.

The faculty member must:

1. Seek above all to be an effective teacher and scholar;

2. Conform to the limits on academic freedom and faculty conduct imposed by state and federal laws and regulations, and policies and procedures of the Oklahoma State Regents for Higher Education, the Regional University System of Oklahoma, and the university; and
  3. Remain acquainted with and conform to these laws, regulations, policies, and procedures.
- C. The faculty member who undertakes work outside the university must do so in conformity with the policies of the Oklahoma State Regents for Higher Education, the Regional University System of Oklahoma, and the university. The amount and character of the outside work must not interfere with the faculty member's responsibilities to the university.
- D. Examples of unacceptable conduct:
1. Failure to adhere to university policies and procedures, or the policies of the Oklahoma State Regents for Higher Education, the Regional University System of Oklahoma, or federal or state laws or regulations;
  2. Engaging in pursuits outside the university, whether commercial or not, which impede the performance of the faculty member's responsibilities to the university as his or her employer;
  3. Failure to report correctly activities outside the university when reporting is required by the policies and procedures of the Oklahoma State Regents for Higher Education and the Regional University System of Oklahoma, the State Ethics Commission, or university; and
  4. Detention, threats of physical harm to, harassment or intimidation of another member of the university community, or otherwise interfering with that person's performance of university duties.

## H.2.5

### COLLEAGUES

- A. Regents' Policy Statement
1. *Faculty members have responsibilities to their colleagues, deriving from common membership in a community of scholars. They shall respect and defend the free inquiry of their associates. In the exchange of criticism and ideas, they should show due respect for the opinions*

*of others. They shall acknowledge their academic debts and strive to be objective in the professional judgment of their colleagues. Faculty members accept a reasonable share of faculty responsibilities for the governance of the university (Section 3.4.b4, RUSO).*

- B. Examples of unacceptable conduct include, but are not limited to:
1. Making evaluations of the professional competence of faculty members by criteria not directly reflective of performance of appropriate duties or responsibilities of their position; and
  2. Discrimination for or against faculty members for reasons of politics, race, religion, sex, national origin, disability, age, veteran status, sexual orientation, or for other arbitrary or personal reasons.

## **H.2.6 THE COMMUNITY**

- A. Regents' Policy Statement
- B. Ethical Principles
1. *University faculty members are individuals, members of a learned profession, and representatives of a university. When faculty members speak or write as individuals, they should be free from institutional censorship or discipline, but faculty position in the community imposes special obligations. As persons of learning and education representatives, the faculty members should remember that the public may judge the profession and the university by extramural utterances. Hence, each faculty member should, at all times, be accurate, should exercise appropriate restraint, should show respect for the opinion of others and should make every effort to indicate that faculty do not speak on behalf of the university (Section 3.4.b3, RUSO).*
  2. *Faculty members have responsibilities to their community. As a person engaged in a profession that depends upon freedom for its health and integrity, the faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom (Section 3.4.b7, RUSO).*

## **H.3 PROCESS FOR ALLEGED MISCONDUCT BY A FACULTY MEMBER**

- A The process that follows sets forth procedures to use in processing issues arising from complaints by students, staff or other faculty members. This process does not apply to the following matters for which separate processes are otherwise established:
1. Matters involving sexual harassment;

2. Matters involving discrimination or harassment based on race, color, national origin, age, sex, religion, disability, or sexual orientation; and
  3. Matters properly dealt with by the Grade Appeal policy.
- B. Informal Resolution of Student and Staff Complaints against Faculty Members
1. Complainant and Respondent must make good-faith efforts to resolve their dispute. If they are unsuccessful, the parties must make good faith efforts to resolve the issues by discussing their concerns with the chair and/or dean.
  2. A settlement of issues may be evidenced by a written document specifying terms and conditions of resolution of the issues involved, or the parties may choose to use an informal, verbal agreement.
  3. If the efforts of the chair and/or dean are unsuccessful and a resolution of issues cannot be reached, the chair and/or dean shall inform both parties of the availability of mediation and encourage them to mediate.
  4. Mediation is voluntary and both Complainant and Respondent must agree to participate.
  5. If a resolution of issues is reached through mediation, the terms and conditions of the resolution shall be reduced to writing and sign by both Complainant and Respondent. The issues are then deemed resolved, and may not be raised again through any university process.
- C. Informal Resolution of Faculty Complaints against Faculty Members
1. Complainant and Respondent must make good-faith efforts to resolves their dispute. If they are unsuccessful, the parties must make good faith efforts to resolve the issues by discussing their concerns with the chair and/or dean. If these discussions do not resolve the issue, either party may request intervention by the Ombudsperson.
  2. The Ombudsperson may investigate and report findings in an effort to reach equitable resolutions to issues raised by Complainant and Respondent.
  3. The Ombudsperson may arrange, attend, participate in, and keep records of meetings between Complainant and Respondent, department chair/schooldirector, dean and other persons to explore possible settlement of issues.

4. A settlement of issues may be evidenced by a written document specifying terms and conditions of resolution of the issues involved, or the parties may choose to use an informal, verbal agreement.
5. If the efforts of the Ombudsman are unsuccessful and a resolution of issues cannot be reached, the Ombudsman shall inform both parties of the availability of mediation and encourage them to mediate.
6. Mediation is voluntary and both Complainant and Respondent must agree to participate.
7. If a resolution of issues is reached through mediation, the terms and conditions of the resolution shall be reduced to writing and sign by both Complainant and Respondent. The issues are then deemed resolved, and may not be raised again through any university process.

D. Formal Grievance

1. If the informal resolution process is unsuccessful in resolving the issues between the faculty member and the student or staff:
  - a. the complainant shall bring the issue to the Office of Academic Affairs.
2. If the informal resolution process is unsuccessful in resolving the issues between the faculty members:
  - a. the Ombudsman shall inform the Complainant that he or she may file a grievance with the Faculty Grievance Board as provided for in Appendix G. The Ombudsperson shall provide a copy of Appendix G to the Complainant and inform the Complainant of the time limitations for filing the grievance.

E. Records

1. Upon the completion of the informal resolution and mediation process, any records produced by the Ombudsperson shall be deposited with the University's Office of General Counsel for retention and destruction according to state law. The Ombudsperson may not participate or furnish information in the formal grievance process, nor may any of the Ombudsperson's records be used for any purpose at the Formal Grievance level.