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February 28, 2000

7 **POLICY ON FACULTY PROFESSIONAL RESPONSIBILITY**

8 This policy was recommended by Academic Senate on February 3, 2000
9 and approved by the President on February 10, 2000.

10 Section I of this policy is adapted from the "Statement on Professional Ethics" of the American
11 Association of University Professors that was adopted by the Association's Council in 1987 and
12 endorsed by the Seventy-third Annual Meeting. For purposes of this document, the term
13 professor refers to any Unit 3 employee.

14 **INTRODUCTION**

15 Membership in the academic profession carries with it special responsibilities. This policy
16 reaffirms these responsibilities, providing guidance to professors in such matters as their
17 utterances as citizens, the exercise of their responsibilities to students and colleagues, and their
18 conduct when undertaking sponsored research. Specifically, it sets forth those general standards
19 that serve as a reminder of the variety of responsibilities assumed by all members of the
20 profession.

21 In the enforcement of ethical standards, the academic profession differs from those of law and
22 medicine, whose associations act to ensure the integrity of members engaged in private practice.
23 In the academic profession the individual institution of higher learning provides this assurance
24 and so should normally handle questions concerning propriety of conduct within its own
25 framework by reference to a faculty group. If an alleged offense is deemed sufficiently serious to
26 raise the possibility of adverse action, the procedures should be in accordance with the CSU-CFA
27 Collective Bargaining Agreement.

28 **I. STATEMENT ON PROFESSIONAL RESPONSIBILITY**

29 A. Professors, guided by a deep conviction of the worth and dignity of the advancement of
30 knowledge, recognize the special responsibilities placed upon them. Their primary responsibility
31 to their subject is to seek and to state the truth as they see it. To this end professors devote
32 their energies to developing and improving their scholarly competence. They accept the
33 obligations to exercise critical self-discipline and judgment in using, extending, and transmitting
34 knowledge. They practice intellectual honesty. Although professors may follow subsidiary
35 interests, these interests must never seriously hamper or compromise their freedom of inquiry.

36 B. As teachers, professors encourage the free pursuit of learning in their students. They hold
37 before them the best scholarly and ethical standards of their discipline. Professors demonstrate
38 respect for students as individuals and adhere to their proper roles as intellectual guides and
39 counselors. Professors make every reasonable effort to foster honest academic conduct and to
40 ensure that their evaluations of students reflect each student's true merit. They respect the
41 confidential nature of the relationship between professor and student. They avoid any
42 exploitation, harassment, or discriminatory treatment of students. They acknowledge significant
43 academic or scholarly assistance from them. They protect their academic freedom.

44 C. As colleagues, professors have obligations that derive from common membership in the
 45 community of scholars. Professors do not discriminate against or harass colleagues. They respect
 46 and defend the free inquiry of associates. In the exchange of criticism and ideas professors show
 47 due respect for the opinions of others. Professors acknowledge academic debt and strive to be
 48 objective in their professional judgment of colleagues. Professors accept their share of faculty
 49 responsibilities for the governance of their institution.

50 D. As members of an academic institution, professors seek above all to be effective teachers and
 51 scholars. Although professors observe the stated regulations of the institution, provided the
 52 regulations do not contravene academic freedom, they maintain their right to criticize and seek
 53 revision. Professors give due regard to their paramount responsibilities within their institution in
 54 determining the amount and character of work done outside it. When considering the
 55 interruption or termination of their service, professors recognize the effect of their decision upon
 56 the program of the institution and give due notice of their intentions.

57 E. As members of their community, professors have the rights and obligations of other citizens.
 58 Professors measure the urgency of these obligations in the light of their responsibilities to their
 59 subject, to their students, to their profession, and to their institution. When they speak or act as
 60 private persons they avoid creating the impression of speaking or acting for their college or
 61 university. As citizens engaged in a profession that depends upon freedom for its health and
 62 integrity, professors have a particular obligation to promote conditions of free inquiry and to
 63 further public understanding of actions taken.

64 II. IMPLEMENTATION PROCEDURES

65 The fundamental purpose of a statement of professional responsibility is to establish a guide to
 66 responsible performance that is consistent with the highest ideals of the academic profession.
 67 When cases of gross disregard for principles of professional responsibility occur, members of the
 68 university community have both a right and a duty to call the lapse to the attention of the
 69 individual concerned and to expect that the irresponsible behavior will be discontinued. If the
 70 complaint alleges any type of discrimination, including sexual harassment, or any other conduct
 71 potentially covered by the Policy on Discrimination, Including Sexual Harassment, and
 72 Procedures for Complaint Resolution (PS 98-09), the complaint must be referred to the
 73 Discrimination Complaint Resolution Officer, as identified in PS 98-09, and no further action
 74 should be taken under this policy.

75 A. Informal Resolution

76 1. Informal resolution is always preferable. When a member of the university community
 77 questions the professional integrity and/or behavior of a faculty member, every effort should be
 78 made, by consulting with the principals involved, to determine if an informal solution can be
 79 achieved at the department and/or college level.

80 B. Formal Resolution

81 1. If a breach of professional responsibility is alleged which cannot be or is not adequately
 82 handled informally, any involved party may refer the matter to the Chair of the Panel on
 83 Professional Responsibility (see Section III.A).

84 2. As quickly as may be feasible and in accordance with the process described in Section III.B, a
 85 Committee of the Panel on Professional Responsibility should begin an inquiry into the facts of
 86 any case it is asked to investigate. The committee shall immediately notify the principals
 87 involved and the Vice President for Academic Affairs that an investigation is to be conducted. If

88 the University intends to conduct an investigation which may lead to a formal notice of
 89 disciplinary action, the Vice President for Academic Affairs shall so notify the committee and the
 90 committee shall take no further action.

91 3. The committee shall work informally and shall keep only those notes and records that are
 92 needed for their own purposes. These records, as well as any recommendations the committee
 93 makes, shall be confidential.

94 4. Alternative Courses of Action

95 a. The committee may, at any time, discontinue the inquiry because the facts do not provide
 96 sufficient evidence to support the allegations. In such a case, the committee shall report its
 97 reasons for discontinuing the inquiry to the principals involved.

98 b. If the committee carries its inquiry to completion, it must determine whether or not the
 99 evidence supports the allegations, and report to the principals involved. c. Within ten (10) days
 100 of receipt of the report, any party to the dispute may submit a written response to the
 101 committee, which shall be attached to all copies of the report.

102 d. If the finding is that a serious breach of professional responsibility has occurred then a copy of
 103 the committee's final report, along with supporting documentation, shall be forwarded to the
 104 Vice President for Academic Affairs for possible action and/or inclusion of the report in the
 105 personnel file.

106 5. In all cases, any original documentation obtained in the course of the investigation shall be
 107 returned to its original source. All other records of the investigation shall be destroyed.

108 III. PANEL ON PROFESSIONAL RESPONSIBILITY AND INVESTIGATING COMMITTEES

109 A. A University Panel on Professional Responsibility shall be established annually. It shall be
 110 composed of twenty (20) full-time, tenured faculty.

111 1. The Academic Senate Committee on Committees shall nominate faculty to serve on the Panel.
 112 Nominations shall be subject to approval by the Academic Senate.

113 2. Nominees shall be selected equitably from the Colleges, Library Services, and the Student
 114 Affairs Division Unit Three membership, with special attention to the high regard in which they
 115 are held by the academic community.

116 3. The members shall serve staggered three-year terms. Terms shall be selected by lot in the
 117 first year of operation.

118 4. One member of the Panel shall be appointed Chair by the Executive Committee of the
 119 Academic Senate and shall convene Committees of the Panel.

120 B. When it is necessary to establish a Committee of the Panel on Professional Responsibility, as
 121 described in Section I.A.2 of this policy, three faculty members from the Panel who are not in the
 122 departments of those involved in the allegations, have had no involvement in the dispute and
 123 who are mutually acceptable to the principals involved, shall be empowered to function as a
 124 Committee to conduct an informal investigation of the allegations, employing whatever
 125 procedures it deems appropriate for the particular case. If it is impossible to find three members
 126 by mutual consent, then a random selection procedure shall be used, from among those Panel

127 members not in the College(s) of those involved, with challenge possible only for cause, as
128 determined by the Chair of the Panel.

129 C. Upon request of a member of the university community, the Panel Chair may convene a
130 Committee to give advisory opinions as to contemplated conduct; such opinions shall be
131 transmitted to the principals involved in writing.

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133 **EFFECTIVE: Fall 2000**