

THE UNIVERSITY OF TEXAS AT DALLAS
NUMBERED POLICY MEMORANDA

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UNIVERSITY POLICY ON FACULTY CONDUCT

I. Introduction

The University of Texas at Dallas strives to protect academic freedom and fair procedures. With freedom comes certain obligations for the faculty members. This document outlines those privileges and obligations and also details the procedures that will be followed at The University of Texas at Dallas when dealing with alleged faculty misconduct.

For the purposes of this document, the term faculty means faculty with the rank of Regental Professor, Professor, Associate Professor, Assistant Professor, and Instructor.

Dismissal for good cause is provided for by Series 31008 of the *Rules and Regulations* of the Board of Regents of The University of Texas System, and is not subject to this document (<http://www.utsystem.edu/bor/rules/>).

Allegations of falsification or fabrication of research results are to be dealt with under UTD Policy Memorandum 90-III.21-50, Procedures for Dealing with Allegations of Research Misconduct/Fraud.

Allegations of sexual harassment are to be dealt with under the Sexual Harassment Policy and Procedure, Administrative Policies and Procedures, Section D, D11-115.0, of the U.T. Dallas Handbook of Operating Procedures (www.utdallas.edu/utdgeneral/business/admin_manual/).

At The University of Texas at Dallas, the responsibility to discipline faculty members in appropriate cases derives from the shared recognition by the faculty and administration that the purpose of discipline is to preserve the University's central function as an institution of higher learning.

II. Ethical Principles, Faculty Responsibilities, and Unacceptable Faculty Conduct

The responsibilities of faculty members for teaching and guiding students, for the pursuit of independent scholarship, and for professional service to colleagues, the University and the community, demand an adherence to high standards of professional conduct. Failure to follow commonly accepted principles of professional conduct diminishes the faculty member's ability to perform his or her duties effectively and damages the University.

The types of unacceptable conduct listed below (A-E) are meant only as examples; other types of conduct may also be regarded as unacceptable and deserving of University discipline.

A. Scholarship

Ethical Principles. The faculty member, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognizes the special responsibilities which that conviction carries. A faculty member's primary responsibility is to seek and state the truth as he/she sees it, developing and improving scholarly competence to that end. The faculty member accepts the obligation to exercise critical self-discipline and judgement in using, extending, and transmitting knowledge, thereby practicing intellectual honesty.

Examples of unacceptable conduct:

1. Intellectual dishonesty, such as intentional misappropriation of the writings, research, and findings of others.
2. Falsification or fabrication of research results, misrepresentation of conclusions, etc., as outlined in UTD Policy Memorandum 90-III.21-50.

B. Teaching and Students

Ethical Principles. The faculty member encourages students in the free pursuit of learning, holding before them the best scholarly standards of the discipline. Faculty members maintain an awareness that their personal values affect their selection of courses, material, and presentation style. They recognize and respect a diversity of opinion among their students. The faculty member demonstrates respect for the student as an individual, and adheres to the proper role as their intellectual guide and counselor, making every reasonable effort to foster honest academic conduct and to assure that his/her evaluation of students reflects their course performance. The faculty member is careful to avoid deliberately misleading students regarding the factual bases of ideas or findings. The faculty member respects the confidential nature of the relationship between teacher and student and avoids any exploitation of students for personal advantage, acknowledging any significant assistance from them. The faculty member protects the academic freedom of his/her students. The faculty member avoids situations in which the action(s) of the faculty member may be affected by relationships or associations, e.g., sexual, family, or commercial relationships, nepotism, etc.

If faculty members find themselves in a situation in which their judgement might be so affected, they should consult with their immediate academic supervisor to ensure that evaluations of student(s) not be affected by factors extraneous to a student's work.

Examples of unacceptable conduct:

1. Failure to meet the responsibilities of instruction, including:
 - a. arbitrary or unwarranted denial of access to instruction;
 - b. significant or repeated intrusion of material unrelated to the course;
 - c. repeated failure, without legitimate reason, to adhere to the responsibilities of the faculty to meet class, to keep office hours, and to hold examinations as scheduled;
 - d. evaluation of student work by criteria not directly reflective of course performance;
 - e. undue and unexcused delay in evaluating student work.
2. Discrimination for or against a student for reasons of politics, race, religion, sex, 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 to coerce a student (e.g., sexual harassment or use of student services for personal gain).
4. Initiation of or acquiescing in a sexual relationship with a student who is under the personal supervision or instruction of the faculty member.
5. Participating in or deliberately abetting disruption of, or interference with, any University program or activity.
6. A pattern of selectively presenting research results so that persons in ascriptive social categories are presented in a negative light.

C. The University

Ethical Principles. As a member of the University, the faculty member seeks above all to be an effective teacher and scholar. Although observing the stated regulations of the institution, the faculty member maintains the right to criticize those regulations and their administration and to seek their revision. 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 understands, however, that

this freedom must conform to the limits imposed by state and federal laws and regulations, the *Rules and Regulations* (<http://www.utsystem.edu/bor/rules/>) of the Board of Regents of The University of Texas System, the rules of The University of Texas at Dallas, school and program policies. It is the responsibility of the faculty member to remain acquainted with and to conform to these laws, regulations, rules, and policies.

The faculty member who undertakes work outside the University does so in conformity with the rules of the University or of The University of Texas System, and ensures that the amount and character of the outside work does not interfere with his or her responsibilities to the University. The faculty member who considers interrupting or terminating his or her University service recognizes the effect of that decision upon the program of the institution and gives due notice.

Examples of unacceptable conduct:

1. Disobeying University rules or *Rules and Regulations* of the Board of Regents, federal or state laws or regulations.
2. Use of University resources or facilities for any purpose disallowed by the laws of the State of Texas, *Rules and Regulations* of the Board of Regents of The University of Texas System, or the rules of The University of Texas at Dallas.
3. 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 primary employer.
4. Failure to report correctly activities outside the University when such reporting is required by the *Rules and Regulations* of the Board of Regents or University rules or policy and is requested by the appropriate administrator.
5. 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.

D. Colleagues

Ethical Principles. As a colleague, the faculty member has obligations that derive from common membership in the community of scholars, respecting and defending the free inquiry of associates. In the exchange of criticism and ideas, the faculty member shows due respect for the opinions of others, acknowledging academic debts and striving to be objective when making a professional judgement of colleagues. The faculty member accepts his/her share of faculty responsibilities for the governance of the University.

Examples of unacceptable conduct:

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.

2. Discrimination for or against faculty for reasons of politics, race, religion, sex, national origin, disability, age, veteran status, sexual orientation, or for other arbitrary or personal reasons.
3. Acting in a position of judgement, e.g. regarding appointment, reappointment, salary, promotion, or tenure, with regard to another faculty member in which the faculty member's judgement would be considered clouded because of current or prior associations without prior disclosure to and consultation with his or her dean.

E. The Community.

Ethical Principles. The faculty member has the same rights and obligations as all citizens. The faculty member is as free as other citizens to express personal views and to participate in the political processes of the community, subject to Regents' *Rules and Regulations*, Series 31004 concerning the Rights and Responsibilities of Faculty Members and Series 30103 concerning Standards of Conduct. When acting or speaking in a personal and private capacity, the faculty member should avoid creating the impression of representing the University and should not use or permit his or her professional background or position to be used to provide credence for statements or actions regarding matters not within the faculty member's professional field.

Examples of unacceptable conduct:

1. Representation of personal views as a statement of the position of the University or any of its agencies.
2. Participating in political activity that violates the *Rules and Regulations* of the Board of Regents.

III. Disciplinary Policies and Procedures

A dismissal proceeding involving a tenured faculty member or a faculty member during the term of an appointment is not subject to these policies. It is recognized, however, that a faculty member may engage in conduct that should be penalized by sanction other than dismissal. The imposition of sanctions short of dismissal should be viewed as a serious matter, usually undertaken only after administrative efforts to remedy the situation have failed.

A. Grounds for Disciplinary Action

With good cause, the University may impose a sanction against a faculty member. "Good cause" refers to instances of conduct such as those outlined in Section II, the

nature of which indicates that the faculty member should not continue to enjoy certain previously held responsibilities or perquisites. All components of "good cause" are serious, but not all offenses justify imposition of the most severe sanctions. In accordance with the due process procedures described in this document and in the Faculty Grievance Procedure (UTD Policy Memorandum 92-III.21-54), a faculty member may be subject to any of the sanctions enumerated below.

B. Sanctions

The faculty member's immediate supervisor may impose sanction 1 below. The faculty member's Dean or the Executive Vice President and Provost (Provost) may impose sanctions 1 through 3 below. The President of The University of Texas at Dallas may impose sanctions 1 through 7 below. The Board of Regents of The University of Texas System may impose severe sanctions, including 8 and 9 below.

1. Oral reprimand.
2. Written reprimand.
3. A punitive or disciplinary reassignment of duties, facilities, or support.
4. Freezing of salary for a stated period, not to exceed two years.
5. Reduction in salary, not to exceed 5% of current salary, for a period not to exceed one year.
6. A permanent reduction in salary, not to exceed 5% of current salary.
7. Other sanctions short of 8 or 9, as appropriate.
8. Reduction in rank with loss of salary not to exceed 5% of current salary. This action in no way abrogates tenure.
9. Suspension without pay.

C. Procedures

Allegations against a faculty member shall be addressed to the Dean of that faculty member's school, unless he/she has specifically designated alternates such as Department Heads, who shall investigate the allegation and make the initial decision regarding sanctions. Prior to the imposition of sanctions, the faculty member who is the subject of the complaint must be informed of the allegations.

Allegations against a Dean or the Provost may be lodged directly with that person's immediate supervisor.

Actions leading to sanctions against a faculty member may be initiated by, and only by, line supervisors of the faculty member. Administrators should attempt to resolve the matter informally prior to proposing sanctions.

Sanction (1) may be imposed as a direct result of dissatisfaction on the part of the faculty member's immediate supervisor. It cannot be appealed through the Faculty Grievance Procedure, but if requested by the faculty member, the sanction must be changed to sanction (2).

Before imposing any sanction other than oral reprimand, an administrator must inform the faculty member of the facts relied upon as the basis for the proposed sanction, the sanction to be imposed, the name(s) of persons who have knowledge of the facts, provide access to any documents relied upon, and give the affected faculty member ten work days, or a lesser period by mutual agreement, to respond either in writing or orally and to persuade the administrator that the evidence relied upon is not true. If the administrator is not persuaded that the evidence is untrue, or if no response is received by the time specified, the administrator shall inform the affected faculty member in writing of the following:

1. the sanction imposed;
2. the effective date of the sanction and, if applicable, the duration of the sanction;
3. the specific incident, conduct, or other factual basis for the sanction;
4. reference to any relevant rule, regulation, or policy; and
5. that the faculty member has ten work days to initiate an appeal pursuant to the Faculty Grievance Procedure.

If the faculty member chooses to appeal the administrative sanction by using the Faculty Grievance Procedure, sanctions (5), (6), (7), shall not be imposed until the Faculty Grievance Procedure is complete.

If, after the faculty member sanctioned has appealed through the Faculty Grievance procedure, a sanction less severe than that originally proposed is imposed, that sanction is not grievable.

IV. Restrictions

1. For all time limits, "work day" means a day when classes or examinations are scheduled and held in accordance with the official academic calendar of the University, excluding Saturdays and Sundays.