

Standard of Faculty Conduct

A faculty member at the University assumes an obligation to behave in a manner compatible with the University's function as an educational institution and voluntarily enters into a community of high achieving scholars. These expectations have been established in order to protect a special environment conducive to research, teaching, learning, and service that fosters integrity, personal and professional growth, a community of scholarship, academic success, and responsible citizenship. Faculty members are expected to adhere to community standards in accordance with the University's mission and expectations. The Standard of Faculty Conduct is meant to provide a progressive discipline procedure that will allow departments to address problems quickly before they become disruptive to the academic unit.

Application – The Standard of Faculty Conduct applies to all faculty members at the University of Missouri. -For purposes of Section _____, Faculty Member includes all regular and non-regular academic staff appointments as defined in Section 310.020 and 310.035 of the Collected Rules and Regulation. -This Standard is to be applied when a violation of these standards of conduct are noted, and may lead to additional hearings, sanctions, or penalties under existing processes and procedures. For purposes of this process, the term “respondent” is used for the Faculty member who may be facing consequences due to violations of this Standard, and “complainant” for the person filing a complaint. ^[J1] This Standard should not be used for issues arising from Administrative interaction with Faculty- those cases should be handled through the Grievance process (enter CRR). The Standard of Faculty conduct is in addition to and does not limit other processes and procedures within the CRRs including (list all CRRs that are applicable, including Research Misconduct, Grievance, Title 9, etc.).^[J2]

1. Statement of Professional Ethics

- a. Faculty Members, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility as scholars is to state the truth as they see it. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although Faculty Members may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
- b. As teachers, Faculty Members encourage the free pursuit of learning in their students. They uphold the best scholarly and ethical standards of their discipline. Faculty Members demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Faculty Members make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students ~~reflect each student's true merit~~ accurately reflect the merit of each student's work. They avoid exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

- c. As colleagues, Faculty Members have obligations that derive from common membership in the community of scholars. Faculty Members neither discriminate against nor harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Faculty Members acknowledge intellectual pluralism and strive to be objective in their professional judgment of colleagues. Faculty Members accept their share of responsibilities for the governance of their institutions.
 - d. As members of an academic institution, Faculty Members seek, above all, to be effective teachers and scholars. Although Faculty Members observe the stated regulations of the institutions, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Faculty Members give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering ~~the interruption or termination~~ taking leaves of absence, leaving permanently departing the university to pursue other opportunities, or other actions that could ~~interruptions or termination~~ end of their service, Faculty Members recognize the effect of their decision upon the program of the institutions and give all due notice possible of their intentions out of respect for their colleagues. [13]
 - e. As members of their community, Faculty Members have the rights and obligations of other citizens. Faculty Members measure the urgency of these obligations in light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, Faculty Members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.
 - f. *[Excerpted and modified from AAUP Redbook Statement of Professional Ethics items 1-5, p145-146]*
2. **Inappropriate conduct** for which Faculty Members ~~are~~ could be subject to sanctions includes but is not limited to the following actions. Any behavior deemed to be potentially criminal in nature will be reported to law enforcement authorities. No part of the Collected Rules and Regulations shall be construed as interfering with the ability of any University member to contact law enforcement when necessary. [14]:
- ~~a. Violating university rules, regulations, policies or procedures including but not limited to those related to conduct of academic duties and those governing the use of university funds and university facilities.~~ [SSS5];
 - a. Violating university rules, regulations, policies or procedures including but not limited to those related to conduct of academic duties and those governing the use of university funds and university facilities.
 - b. Violation of the University's Anti-Discrimination Policies. The University's Anti-Discrimination Policies include the Equal Employment/Education Opportunity Policy located at Section 320.010 of the Collected Rules and Regulations and the Sex Discrimination, Sexual Harassment and Sexual Misconduct in

Education/Employment Policy located at Section 600.020 of the Collected Rules and Regulations. Violation of the University's Anti-Discrimination Policies are within the jurisdiction of the applicable Equity Resolution Process, including Section 600.040 of the Collected Rules and Regulations, and not addressed through the Standard of Faculty Conduct.

- c. Violation of Professional Ethics, not covered by Research Misconduct outlined in Section 420.010 of the Collected Rules and Regulations, such as violations of professional ethics and responsibilities set out in items 1.a-1.e above. Faculty Members have a special obligation to adhere to such professional ethics and responsibilities, as these form the basis for the academic reputation of the University^[SS6].
- d. Threats, intimidation, harassment, physical abuse or any other conduct which that endangers the health or safety of any person, or interferes with a person's ability to perform university duties including teaching, research, administration, or other university activities, including public service functions on or off campus;^[J7] this includes behavior directed towards faculty, staff, students or visitors.
- ~~e. Any behavior described in (b), above, which may raise concerns of criminal behavior will be reported immediately to the police.~~
- ~~f.e. Violation of the University's Anti-Discrimination Policies. The University's Anti-Discrimination Policies include the Equal Employment/Education Opportunity Policy located at Section 320.010 of the Collected Rules and Regulations and the Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy located at Section 600.020 of the Collected Rules and Regulations. Violation of the University's Anti-Discrimination Policies are within the jurisdiction of the applicable Equity Resolution Process, including Section 600.040 of the Collected Rules and Regulations, and not addressed through the Standard of Faculty Conduct.~~
- ~~g.f. Neglecting or refusing to perform reasonable assigned academic duties, or in any way obstructing or disrupting others in the conduct of teaching, research, administration, or other university activities, including public service functions on or off campus.~~
- ~~h. Intentional and habitual neglect of duty in the performance of academic responsibilities.~~^[J8]
- ~~i.g. Violating university rules, regulations, policies or procedures including but not limited to those related to conduct of academic duties and those governing the use of university funds and university facilities.~~
- ~~j.h. Willfully attempting to or actually damaging, destroying, taking, or misappropriating property owned by the University, a member of the University community, or a campus visitor, or any property used in connection with a university function or approved activity, or unauthorized use of university facilities.~~
- ~~k.i. Forgery, alteration, or misuse of University documents, records or identification, or knowingly furnishing false information to the University.~~
- ~~l.j. Misuse of computing resources in accordance with University policy.~~
~~—The illegal or unauthorized possession or use of firearms, explosives, other weapons, or hazardous chemicals.~~
- ~~m. Any behavior described above which raises concerns of criminal behavior may be reported to the police. No part of the Collected Rules and Regulations shall be~~

~~construed as interfering with the ability of any University member to act to contact law enforcement if necessary.~~ [491]

n.k. Conviction in a court of law for a felony that is clearly related to performance of University duties or academic activities.

3. Process

- a. Complaints of Inappropriate Conduct ~~by a Faculty Member~~, as defined above, ~~by a Faculty Member may should~~ [55510] be brought to the Dean of ~~his or her colleague~~ the respondent. -Complaints must be in writing and ~~should explicitly~~ identify the inappropriate conduct being alleged. -These complaints may be brought by any member of the University community. ~~If a Dean is the respondent, because of their Faculty and not administrative behavior, the complaint will be delivered to the Provost.~~
- b. Preliminary efforts may be made to resolve the complaint through informal discussions in the unit where the Faculty Member carries out his/her primary professional duties. Such informal discussions should be concluded within one month of the initial complaint. Any resolution ~~will should~~ be documented in writing and filed with the Dean of the academic unit where the faculty member whom a complaint was registered against resides.
- c. If informal discussion does not resolve the violation, the Dean will provide written notice of the allegation to ~~and meet with the responding Faculty Member~~ respondent and meet with that Faculty Member to allow him/ or her to respond to the allegation ~~within ten (10) business days of the close of the informal discussions.~~
- d. The Dean where the ~~responding faculty member~~ respondent holds an appointment shall review the complaint, the results of any investigation, any response made to the complaint, and the statements made during any meetings on the matter. The investigation will be conducted by the campus ombudsperson or by ~~a~~ a tenured professor appointed by the Faculty Council/Senate chair from outside the unit in which the ~~accused~~ respondent resides ~~to conduct the investigation.~~ ~~After the investigation, the Dean will review the materials and a~~ recommendation will be sent to the Provost as to whether or not the Faculty Member is responsible for Inappropriate Conduct, and whether one or more of the sanctions in Section ~~4.d3.e (below)~~ would be an appropriate remedy ~~are recommended~~ [55511]. ~~442~~ ~~The investigation and Dean review should not take more than twenty (20) business days.~~
- e. If the Faculty Member is found responsible for Inappropriate Conduct, as defined above, ~~the applicable~~ sanctions ~~that may be applied~~ may include, but ~~not are not be~~ limited to the following:
 - i. Warning. A notice in writing to the Faculty Member and included in the Faculty Member's personnel file that there is a finding of Inappropriate Conduct.
 - ii. Loss of Privileges. Denial of specified privileges of the Faculty Member for a designated period of time. This may include but is not limited to suspending travel privileges and/or payment of travel or conference expenses, restricting use of laboratories or offices, limiting contact with students, ~~;~~ ~~or~~ suspending access to ~~graduate teaching~~ or research

assistance, ~~or or suspending access to~~ grant accounts, service on university committees, or representation of the University on official business.

- iii. Education or counseling. The Faculty Member may be assigned to completion of education or counseling that is meant to correct noted deficiencies in carrying out educational duties. The faculty workload may be altered until this education or counseling is completed.
 - iv. Restitution. Compensation by the Faculty Member for loss, damage, or injury to the University or University property. This may take the form of appropriate service and/or monetary or material replacement.
 - v. Suspension. Separation of the Faculty Member from the University for a definite period of time, after which the Faculty Member is eligible to return. Conditions for return ~~may should~~ be specified. Suspension may be with or without salary (full or partial) for a period not to exceed one-half of the individual's normal appointment period. During the suspension period, health and retirement benefits shall be maintained.
 - vi. Any recommendations for suspension, paid or unpaid, will be reviewed by a faculty panel consisting of three tenured professors appointed by the Faculty Senate or Council chair from outside of the academic unit in which the ~~accused respondent~~ resides. These faculty ~~members~~ should be ~~pulled drawn~~ from the Grievance Resolution Panel or a similar faculty committee. This panel must complete the review within three weeks of being assigned.
 - vii. Referral of the issues to the Chancellor pursuant to 310.060 of the Collected Rules & Regulations, Procedures in Case of Dismissal for Cause.
- f. The Provost will review the recommended finding of Inappropriate Conduct and sanctions and make a final determination within ~~ten (10) business days one week~~ of receiving the recommendation. The Dean shall meet with the Faculty Member and explain the finding and sanctions and make arrangements to implement the sanctions within ~~ten (10) business days one week~~ of receiving the written recommendation of the Provost. The finding of Inappropriate Conduct and sanctions will be documented in writing and added to the personnel file.

4. Right of Appeal

- a. When a Faculty Member has received a sanction for a finding of Inappropriate Conduct under this Standard of Faculty Conduct, the ~~responding Faculty Member respondent~~ may appeal such decision to the Chancellor -by filing written notice of appeal stating the grounds or reasons for appeal in detail within ten (10) business days after receipt of notification of the decision. The appeal shall be limited to the following grounds:

———1) A procedural error occurred that significantly impacted the outcome of ~~f~~———the finding or sanctions, ~~(e.g., substantiated bias, or material deviation from —established procedures, etc.)~~

2) To consider new evidence, unavailable during the original resolution process or investigation that could substantially impact the original finding or sanction.

3) The sanctions fall outside the range typically imposed for this offense, or for the cumulative disciplinary record of the Faculty Member.

- b. Upon written request of the ~~responding Faculty Member~~respondent, filed within ten business days ~~from of being the notificationed~~ of the decision, the Chancellor will review the case and affirm, modify, or reverse the decision. If the Chancellor accepts an appeal or otherwise formally reviews the case, he/she shall notify the Provost and the ~~responding Faculty Member~~respondent, and shall afford them an opportunity to make written submissions or suggestions concerning the disposition of the appeal on review.
 - c. The Chancellor shall notify the Provost and the ~~responding Faculty Member~~respondent, in writing, of the decision on the appeal. The action of the Chancellor shall be final and is not subject to further review under the Academic Grievance Procedure in Section 370.010 of the Collected Rules and Regulations.
 - d. Status during Appeal -- The ~~responding Faculty Member~~respondent may petition the Chancellor in writing for permission to stay the imposed sanction pending final determination of appeal. The Chancellor may permit the stay of sanctions under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the university community. In such event, however, any final sanctions imposed shall be effective from the date of the final decision.
5. Campus level statistical data, including the types and number of findings of Inappropriate Conduct and sanctions, will be reported annually to the campus Faculty Senate/Council.

1.	Complainant files written violation with Dean
2.	Dean performs informal dissuasion with respondent
3a.	<p>If complaint is resolved:</p> <ol style="list-style-type: none"> 1. Written documentation filed in Dean's office for 2 years 2. Respondent notified and signs written document 3. Complainant notified (<i>note: cannot appeal</i>)
3b.	<p>If complaint is not resolved: (<i>note: Dean must begin investigator step</i>)</p> <p>Dean forwards information to investigator</p> <ol style="list-style-type: none"> 1. The original complaint 2. Meeting notes during informal discussion 3. Recommendation made from Dean to respondent <p>Provost notified</p>
4.	Investigator gathers information as appropriate
5a.	<p>If complaint found not valid:</p> <ol style="list-style-type: none"> 1. Written documentation from investigator filed in Dean office 2. Respondent notified by Dean 3. Complainant notified by Dean <p>Provost notified</p>
5b.	<p>If complaint found valid:</p> <ol style="list-style-type: none"> 1. Written document sent to Provost, included justification 2. Recommended sanction from investigator sent to Provost, with justification <p>Dean notified</p>
6.	Provost reviews material including recommended sanction
7a.	<p>If Provost finds complaint not valid:</p> <ol style="list-style-type: none"> 1. Written document sent to Dean 2. Investigator informed by Provost 3. Respondent notified by Dean 4. Complainant notified by Dean
7b.	<p>If Provost finds complaint valid:</p> <ol style="list-style-type: none"> 1. Written document, including sanction, sent to Dean 2. Investigator informed by Provost 3. Respondent notified by Dean 4. Complainant notified by Dean <p>If sanction is suspension, all information forwarded to faculty panel</p>
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