

MEMORANDUM

To: Board of Regents
From: Board Office
Subject: Revision in the Iowa State University Faculty Conduct Policy
Date: March 4, 2002

Recommended Actions:

Approve a new Faculty Conduct Policy for the University.

Executive Summary:

Current policy adopted in 1992	The current faculty conduct policy has not been revised for many years. It provides for peer involvement late in the process of reviewing alleged faculty misconduct, and often only in cases involving dismissal of a faculty member. The proposed policy, a copy of which is in the Regent Exhibit Book, is designed to enhance faculty participation in the review of the conduct of colleagues and to provide a more flexible process for addressing faculty conduct in a variety of situations. The proposed policy is recommended to the Board by the faculty and administration.
Improvement needed	
Faculty and administration agree	

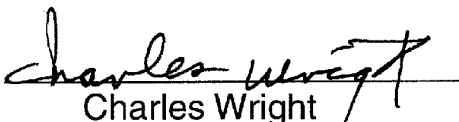
Background:

Current policy adopted in 1992	Currently conduct of faculty at the University is guided by the "Statement on Professional Ethics" adopted by the University in 1992. The Faculty Senate approved an initial revision in 2001. The revision was reviewed by several administrative offices, including legal counsel, and some changes were recommended. The proposed policy includes the recommended changes and was approved by the Faculty Senate in January 2002.
Proposed revision approved by faculty and administration	
Proposed policy clarifies processes	The proposed policy establishes clear and considered processes for addressing faculty grievances and misconduct and brings the peer review of faculty conduct into the process at an early stage.
	The University reports that the proposed policy includes major improvements as follows:
Academic freedom protected	1. Academic Freedom Protections – In addition to a restatement of the University's commitment to academic freedom, the proposed policy

Process for review of conduct flexible	2. Flexible Process for Reviewing Conduct – The current policy sets forth procedures for dismissal of faculty. Disciplinary actions short of dismissal required ad hoc procedures. The proposed policy provides comprehensive and flexible approaches to review conduct depending on the severity of the alleged misconduct. Mediation, informal hearings, and formal hearings involving faculty peers are available depending on the alleged conduct. In severe cases, a faculty member may elect a hearing before an administrative law judge.
Due process protected	3. Due Process Protection – Standards that assure due process for faculty are included in the proposed policy.
University may take action prior to hearing	4. Interim Action – Actions such as reassignment and removal from teaching duties may be implemented prior to a hearing on alleged misconduct in order to protect the interests of students and the University. Such actions are subject to procedures prior to implementation. Procedures provide for the Provost to try to get the faculty member’s agreement on an interim action and failing that, provide for the faculty member to appeal the Provost’s decision on interim actions, such as removal from a laboratory for alleged scientific misconduct, to a Faculty Review Board.
Process reduces redundant reviews	5. Integration of Policies – Where more than one policy at the University provides guidance or creates an interest in a disciplinary action, the proposed faculty conduct policy integrates the other policy to the extent possible. For example, in discrimination and scientific misconduct cases, the investigatory steps are integrated to reduce the number of processes and reviews required to reach a decision.
Terms clarified	6. Key Terms Clarified – The proposed policy provides a single list of the kinds of conduct that may lead to disciplinary action and defines key terms to assure consistent treatment of faculty.

Analysis:

The University and Faculty Senate found the current process for reviewing faculty conduct, as embodied in the “Statement of Professional Ethics” to be incomplete and inadequate to address the range of matters involving alleged faculty misconduct. As the faculty and administration have agreed that the proposed policy provides an improved process for reviewing allegations of faculty misconduct, approval of the Faculty Conduct Policy is recommended by the Board’s academic affairs and human resources units.


Charles Wright

Approved: 
Gregory S. Nichols