

Policy 8-12.4 Rev. 8
Date: May 12, 2008

[Back to Index](#)

Subject: UNIVERSITY REGULATIONS - Chapter XII CODE OF FACULTY RIGHTS AND RESPONSIBILITIES - PART IV

RULES

A. General Duties

1. Faculty members must conduct themselves, in their interactions with other faculty members, administrators, staff members, students, and participants [as defined in [PPM 2-32.IV\(C\)](#)] in accordance with reasonable standards of professionalism. Examples of inappropriate behavior include but are not limited to requiring the performance of inappropriate personal services; assigning tasks for punishment rather than for educational or job-related reasons; intentional disruption of teaching, research or administrative activities; and intentional neglect of necessary communications.
2. Faculty members must not discriminate against, harass, or impose prejudicial treatment upon other faculty members, staff members, students, or participants (as that term is defined in the sexual harassment policy, [PPM 2-32](#)) because of race, color, religion, national origin, gender, sexual orientation, country of citizenship, age, political beliefs, or status as a person with a disability, veteran, or because of any other criterion or characteristic that is an impermissible basis, under applicable constitutional or statutory provisions. This injunction includes decisions or recommendations concerning admissions, employment, promotion, retention, tenure, grading, and other professional matters. [For policies on discrimination and sexual harassment, see [PPM 2-6](#), [2-6A](#) and [2-32](#).]
3. Faculty members must not intentionally violate current university rules and regulations.
4. Faculty members must comply with reasonable and appropriate instructions of their chair, dean, cognizant vice president, president or other authorized university officer respecting the timely performance of their essential duties.
5. Faculty members must competently perform their responsibilities as teachers and members of the faculty. Decisions related to a faculty member's competence in the areas of teaching, scholarship, responsibility, and service will be based on regulations and guidelines outlined in [PPM 9-5](#) and consistent with relevant college or departmental criteria. Competence issues related to a faculty member's medical condition will be handled under [PPM9-3, Section 10](#).

B. Duties to Students

1. Faculty members are expected to meet their regularly scheduled classes. Failure to meet scheduled classes without prior notice to students is excusable only for reasons beyond the control of faculty members. Alteration of schedules, cancellation or rescheduling of classes may be done only for valid reasons and after adequate notice to students.
2. Faculty members shall engage in reasonable and substantial preparation for the teaching of courses assigned to them, consistent with their scope and nature and appropriate to the educational objectives sought to be achieved.

3. Faculty members must maintain regular office hours during which they are available for consultation with students or otherwise assure their accessibility to students.
4. Faculty members must, at the beginning of a course, give reasonable notice to students of the general content of the course, what will be required of the students, and the criteria upon which their performance will be evaluated. Evaluations must be performed promptly, conscientiously, without prejudice or favoritism, and consistently with the criteria stated at the beginning of the course. The criteria for evaluating student performance must relate to the legitimate academic purposes of the course. Grade appeals submitted by students are not considered charges of misconduct under this code. [For the appeals procedure, see the student code, [PPM 8-10.2](#), Article III, section 3.04.]
5. Faculty members must not misuse the classroom by preempting substantial portions of class time for the presentation of their own views on topics unrelated to the subject matter of the course. Where faculty members find it pedagogically useful to advocate a position on controversial matters, they must exercise care to assure that opportunities exist for students to consider other views. Faculty members must not reward agreement or penalize disagreement with their views on controversial topics.
6. Faculty members must not use their position, authority, or relationship with students to obtain uncompensated labor for their own personal or pecuniary gain. They may not ask students to perform services unrelated to legitimate academic requirements of a course unless the student is adequately compensated for such services. Faculty members must not solicit gifts or favors from students. They must not accept gifts or favors where they have reason to believe that such gift or favor is motivated by a desire to secure some academic advantage.
7. Faculty members must not plagiarize the work of a student. Where a faculty member and a student work together, appropriate credit must be given to the student. Faculty members may not limit or curtail the right of a student to publish or otherwise communicate the result of the student's own scholarly activities.
8. Faculty members must not reveal matters related in explicit confidence by a student, except as required by law or university policy. Personal matters relating to a student must not be revealed by faculty members except to persons entitled to such information by law or university policies. Faculty members may, however, report their assessment of a student's academic performance and ability to persons making legitimate inquiry provided such disclosure is in accordance with the Family Educational Rights and Privacy Act ("FERPA").
9. Faculty members have the same duties to students in clinical and research settings, in distance learning, and in other non-traditional settings as they do in the traditional classroom.
10. Any faculty member or employee of the University of Utah with authority to assign or recommend course materials for any course offered by the university shall do so based on sound academic values, without any prospect of personal financial gain.
 - (a) Self-authored course materials are encouraged and may be assigned; but, except for reimbursement of out-of-pocket costs, faculty may not accept or retain royalties or any other personal compensation or material benefit from the sale or furnishing of self-authored course materials to students in their own classes, or in any classes in their department or single-department college for which they have authority to assign or recommend course materials.

(b) Prior to completion of any course or teaching unit for which a faculty member has assigned or recommended self-authored materials that may generate any royalty or other author's compensation, the faculty member shall request, from all students subject to that assignment or recommendation, an anonymous statement of the number of new copies of such materials purchased by each student. This requirement can be satisfied by a form used for student course evaluations that includes the above inquiry, or by a separate survey submitted for anonymous student response before the end of the course or teaching unit. Upon completion of the survey, the faculty member shall file with his/her department chair or dean a brief statement of the number of new materials purchased as reported in the above survey and the rate of royalty or compensation last paid or contracted by the publisher to be paid. The obligation to avoid prospect of personal financial gain shall be satisfied by including with the above report a written commitment to contribute a sum, equal to the number of new books purchased by students multiplied by the reported royalty or compensation rate, to a tax exempt organization (which may include the University of Utah) not later than six months following completion of the course. Alternatively, the requirement can be satisfied by reporting an arrangement under which the author professor's royalty is deducted as a discount from the price of the new book.

(c) For purposes of this policy, the term "course materials" shall be interpreted to include not only books or similar traditional format of bound printed pages typically used in university courses at the time of adoption of this policy, but also materials, information, teaching instruments or data collections distributed in any media form, including but not limited to audio and videotapes, digital storage media such as optical or magnetic disks, and internet or similar transmittal for which fees are typically charged and author compensation provided.

(d) Faculty compliance with the above procedures shall constitute complete and satisfactory demonstration that any self-authored course materials were not recommended or assigned for purposes of personal financial gain.

C. Professional Obligations

1. Faculty members are responsible for insuring that approval has been obtained from the appropriate review committees prior to initiating or becoming involved in research that involves human subjects, vertebrate animals, radiation or radioactive compounds, biohazards, toxic substances, or any other material or activity covered by university, state or federal regulation. Faculty members are also responsible for monitoring ongoing research and teaching activities under their supervision to ensure that they continue to be conducted in accord with approved protocols. In addition, faculty must ensure that all personnel involved in such activities under their supervision are fully trained in accordance with relevant regulations.
2. Faculty members must avoid any form of misconduct in sponsored research, non-sponsored research, and in other forms of professional activity. When reporting the results of their research or professional activities, faculty members must be honest in the presentation of the data and in the description of the work. Misconduct is defined as fabrication or falsification of data and/or results, plagiarism, or other practices that seriously deviate from those practices that are commonly accepted within the research community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations of judgments of data and/or results. [For policy on sponsored research misconduct, see PPM 6-1.1.]
3. Faculty members must not plagiarize or permit the appearance that they are the author of

work done by others.

4. When faculty members are engaged in joint research or other professional efforts with colleagues, they must exercise reasonable care to discharge their agreed obligations.
5. Faculty members whose commitments to the university include research, publication, or other professional endeavors must exercise reasonable care to discharge their agreed commitments.
6. When faculty members serve as supervisors of the professional work of other persons, they must not exploit their position for personal or pecuniary gain.

D. Obligations to the University

1. Faculty members must not purposely mislead the university by misrepresenting their qualifications as a faculty member or eligibility for university benefits.
2. Faculty members must not utilize their relationships with students or other university professional relationships, their status as a faculty member, or their access to university facilities and services, in a manner which involves or is part of a course of conduct constituting knowing participation in a criminally punishable violation of law and which is likely to interfere substantially with effective fulfillment of university functions or obligations, including the obligations and duties imposed by this Code of Faculty Responsibility. No sanctions, however, may be imposed under this provision in a manner that will deprive any faculty member of the rights of free expression and association, as guaranteed by the constitutions of the United States, and the State of Utah.
3. Faculty members must avoid exploiting the university's name or their own relation with the university for personal reasons unrelated to their legitimate academic or professional activities. They must not intentionally create the impression, in public appearances or statements, that they are representing the university, unless in fact, they are.
4. Faculty members must not misappropriate university property. They must not knowingly use university property in violation of state or federal law. They must not use university property or facilities for pecuniary gain, or for personal advantage, if the use of such property or facilities has no legitimate relationship to the faculty member's academic service. For purposes of this section, professional activities which serve to maintain or improve a faculty member's academic skills and which do not violate university restrictions on outside activities have a legitimate relationship to a faculty member's academic service.
5. Faculty members must not maliciously destroy university property, purposely disrupt university programs, purposely inflict physical injury on other persons on campus, or purposely interfere with the legitimate activities of other persons on the university campus. Faculty members must not purposely and unlawfully incite others to engage in such destruction, disruption, injury, or interference. However, mere advocacy or expression shall not be considered incitement unless the advocacy or expression poses a clear and present danger of the imminent occurrence of such destruction, disruption, injury, or interference.
6. Faculty members must comply with current university regulations restricting the amount of time they may spend on nonuniversity commitments, outside consulting or other nonuniversity employment. [For policy on consulting, see [PPM 2-26](#).] They must also comply with state law and university regulations relating to conflicts of interest. [For policies on conflicts of interests, see [PPM 2-30](#) and [4-8](#).]
7. Faculty members must not intentionally make false assertions in initiating or in the course

of any university disciplinary proceedings.

8. Faculty members may also be subject to discipline for violation of the Drug-Free Workplace Policy ([PPM 2-12](#)) and the Field Trip Policy ([PPM 1-10](#)) in accordance with the procedures described in those policies.

Current Version: 8

Effective date: May 12, 2008

Approved: Academic Senate - May 5, 2008
Board of Trustees - May 12, 2008

Background information for Revision 8: [8-12.4 R8 appendix](#)

[Rev. 7](#)

OUTDATED