

POLICY 6-316.I REV 7
DATE FEBRUARY 14, 2005

**SUBJECT: UNIVERSITY REGULATIONS -
CODE OF FACULTY RIGHTS AND RESPONSIBILITIES - PART I**

GENERAL PROVISIONS

I. THE DOCUMENT WHICH FOLLOWS IS A CODE OF RESPONSIBILITY ADOPTED BY THE FACULTY OF THE UNIVERSITY OF UTAH.

FOR THE PURPOSES OF THIS DOCUMENT, THE EXPRESSION "THE UNIVERSITY" REFERS TO THE UNIVERSITY OF UTAH, AN INSTITUTION OF HIGHER LEARNING AND RESEARCH, CHARTERED BY THE STATE OF UTAH AND GOVERNED UNDER THE AUTHORITY OF A BOARD OF TRUSTEES AND THE STATE BOARD OF REGENTS. IT IS A CORPORATE ENTITY, CONSISTING ESSENTIALLY OF A FACULTY, A STUDENT BODY, AND AN ADMINISTRATION. THUS, WHEN REFERENCE IS MADE TO THE UNIVERSITY, IT SHOULD BE UNDERSTOOD THAT, AS THE CONTEXT INDICATES, EITHER THE CORPORATE ENTITY ITSELF OR A DESIGNATED ELEMENT OF IT IS INTENDED.

THE UNIVERSITY IS NOT JUST A CORPORATE BODY CREATED BY OPERATION OF LAW. IT IS ALSO A COMMUNITY OF PEOPLE ASSOCIATED IN ACTIVITIES RELATED TO THOUGHT, TRUTH, AND UNDERSTANDING. IT MUST THEREFORE BE A PLACE WHERE THE BROADEST POSSIBLE LATITUDE IS ACCORDED TO INNOVATIVE IDEAS AND EXPERIMENTS, WHERE INDEPENDENCE OF THOUGHT AND EXPRESSION ARE NOT MERELY TOLERATED BUT ACTIVELY ENCOURAGED. BECAUSE THOUGHT AND UNDERSTANDING FLOURISH IN A CLIMATE OF INTELLECTUAL FREEDOM; BECAUSE THE PURSUIT OF TRUTH IS PRIMARILY A PERSONAL ENTERPRISE, A CODE OF FACULTY RESPONSIBILITY MUST BE STRONGLY ANCHORED TO PRINCIPLES OF INTELLECTUAL FREEDOM AND PERSONAL AUTONOMY. THIS CODE SHOULD BE INTERPRETED AND APPLIED WITH THESE PRINCIPLES FIRMLY IN MIND.

2. THE STANDARDS OF CONDUCT SET FORTH IN THIS CODE ARE STATED IN TERMS OF ETHICAL CANONS AND RULES. THE ETHICAL CANONS STATE PRECEPTS OF ASPIRATION; BREACHES OF THEIR PROVISIONS ARE NOT A BASIS FOR DISCIPLINARY SANCTIONS. VIOLATIONS OF THE RULES ARE SANCTIONABLE. CONDUCT WHICH IS NOT IN VIOLATION OF A RULE OF THIS CODE IS NOT SUBJECT TO DISCIPLINARY SANCTION UNDER THIS CODE.

3. AS USED IN THIS CODE, THE TERM "FACULTY MEMBER" INCLUDES A PERSON EMPLOYED BY THE UNIVERSITY AS THE PRESIDENT, VICE PRESIDENT, DIRECTOR OF LIBRARIES, DEAN, PROFESSOR, ASSOCIATE PROFESSOR, ASSISTANT PROFESSOR, INSTRUCTOR, LIBRARIAN, ASSOCIATE LIBRARIAN, AND ASSISTANT LIBRARIAN, INCLUDING A PERSON HOLDING AN AUXILIARY APPOINTMENT (RESEARCH, CLINICAL, LECTURER, ADJUNCT, VISITING), WHETHER OR NOT THAT PERSON IS EMPLOYED BY THE UNIVERSITY IN A FULL-TIME CAPACITY. ALL PROVISIONS OF THIS CODE APPLY TO FACULTY MEMBERS.

4. EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS CODE, SUSPENSION OR DISMISSAL FROM THE UNIVERSITY MAY BE IMPOSED ON A FACULTY MEMBER AS A SANCTION ONLY FOR VIOLATION OF ONE OR MORE

RULES OF THIS CODE AND ONLY IN ACCORDANCE WITH THE PROCEDURES LAID DOWN IN POLICY AND PROCEDURES 6-002, SECTION 10, CONSOLIDATED HEARING COMMITTEE. TERMINATION FOR MEDICAL REASONS, FINANCIAL EXIGENCY, OR PROGRAM DISCONTINUATION ARE NOT CONSIDERED SANCTIONS UNDER THIS CODE, AND ARE GOVERNED BY PROCEDURES EXPLAINED IN OTHER PARTS OF THE UNIVERSITY POLICIES AND PROCEDURES MANUAL [SEE ESPECIALLY [POLICY AND PROCEDURE 6-313](#) (3)(B,C,D) AND (4)].

5. THE UNIVERSITY ENDORSES THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS STATEMENT ON RECRUITMENT AND RESIGNATIONS (1961), STATEMENT OF PRINCIPLES ON ACADEMIC FREEDOM AND TENURE (1940), AND STATEMENT OF THE ACADEMIC FREEDOM OF STUDENTS (1965). SEE UNIVERSITY REGULATIONS, CHAPTER VII, SECTION I.

APPROVED: ACADEMIC SENATE 12/06/04

APPROVED: BOARD OF TRUSTEES 2/14/05

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OUTDATED