

# **(Interim) Rule 1-021C: Abusive Conduct Reporting and Resolution Process for Faculty**

**Revision 0. Effective date: January 1, 2021**

## **I. Purpose and Scope**

- A. Purpose: To provide a reporting and resolution process that gives employees and University Authorities the tools to resolve abusive conduct reports.
- B. Scope: This Rule is applicable to all University Faculty Members.

## **II. Definitions**

- A. Faculty Member: 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 a Career-line (research, clinical, lecturer), Adjunct and/or Visiting faculty appointment, whether or not that person is employed by the university in a full-time capacity.

## **III. Rule**

### **A. Process:**

The process for filing an initial complaint and a formal complaint is governed by the Code of Faculty Rights and Responsibilities ([6-316](#)) and the Functions and Procedures of the Senate Consolidated Hearing Committee ([6-011](#)). A summary of the processes are below. Please see full policies for specifics.

### **B. Initial Concern:**

The University encourages informal resolution of problems and affected persons are urged to discuss their concerns with the following:

1. The involved faculty member and/or
2. The relevant department chair and/or dean (unless is the complainant or respondent).

Please see the University directory to determine the appointment home of the faculty member.

- C. Formal Complaint (if informal resolution not reached through the process above)  
If informal resolution is inappropriate or not achieved within 30 days, any person directly aggrieved by the allegation or any faculty member, student or staff member may file a complaint alleging a violation of the rules of the faculty code by a faculty member.

Complaints of violations of the abusive conduct policy that have not been able to be resolved informally may be filed in the office of the Senior Vice President for Academic Affairs or the Senior Vice President for Health Sciences, depending on the department of the responding faculty member. If either vice president is the complainant or the respondent, the other vice president shall act under these rules. The cognizant Vice President or their designee shall provide the responding faculty member with a copy of the complaint.

Form: [https://regulations.utah.edu/academics/appendices\\_6/6-316.6.app.php](https://regulations.utah.edu/academics/appendices_6/6-316.6.app.php)

Once received, in consultation with the appropriate dean(s) and chair/director (unless either is the complainant or respondent), the cognizant vice president or designee shall determine whether efforts at informal resolution are appropriate and, if so, shall take whatever steps are useful to that end. These steps may include delegation of the informal resolution process to another person, meetings with the complainant and respondent, or any other processes that the vice president or designee thinks will assist in reaching an informal resolution.

If informal resolution is inappropriate, or if additional efforts at informal resolution are not successful within 30 days of the filing of the complaint, the vice president shall forward the complaint, with a description of efforts at attaining informal resolution, to the Consolidated Hearing Committee (hereafter "CHC") and notify the respondent and the complainant, and the cognizant department chair/director and dean of the same. From this point forward, the office of the vice president shall be a party to the proceedings.

If a complaint is referred to the Consolidated Hearing Committee, please see [Policy 6-011](#) for the full hearing process.

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*[Note: Parts IV-VII of this Regulation (and all other University Regulations) are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per Policy 1-001 and Rule 1-001.]*

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#### **IV. Rules, Procedures, Guidelines, Forms and other Related Resources**

##### A. Rules.

1. [R1-021A](#): Abusive Conduct Reporting and Resolution Process for University Staff (non-UUHC), Academic Staff, Educational Trainees, Postdoctoral Fellows and Medical Housestaff.
2. [R1-021B](#): Abusive Conduct Reporting and Resolution Process for UUHC Staff.

##### B. Procedures. [reserved]

##### C. Guidelines. [reserved]

##### D. Forms [reserved]

##### E. Other related resource materials. [reserved]

#### **V. References**

Abusive Conduct Reporting Amendments (“ACRA”) is [Utah Code Section 67-26-101](#) et seq., Utah Public Employees Healthy Workplace Act, as amended

Utah System of Higher Education (formerly Utah Board of Regents) [Rule R831](#)

School of Medicine Professional Conduct Policy for Faculty Professional Conduct of University of Utah Health Medical Providers Ethical Standards and Code of Conduct Handbook

[Policy 5-001](#): Personnel Definitions

[Policy 5-106](#): Equal Opportunity and Nondiscrimination in Employment

[Policy 5-111](#): Corrective Actions and Termination Policy for Staff

[Policy 5-205](#): Code of Conduct for Staff

[Policy 1-012](#): University Non-discrimination Policy

[Policy 6-309](#): Academic Staff, Educational Trainees, Postdoctoral Fellows and Medical Housestaff

[Policy 6-316](#): Code of Faculty Rights and Responsibilities

## VI. Contacts

The designated contact officials for this Regulation are:

- A. Policy Owner (primary contact person for questions and advice): [Associate Vice President for Faculty-Academic Affairs](#) and the [Associate Vice President for Health Sciences](#).
- B. Policy Officers: [Sr. Vice President for Academic Affairs](#) and [Sr. Vice President for Health Sciences](#)

These officials are designated by the University President or delegee, with assistance of the Institutional Policy Committee, to have the following roles and authority, as provide in University Rule 1-001:

*“A ‘Policy Officer’ will be assigned by the President for each University Policy, and will typically be someone at the executive level of the University (i.e., the President and his/her Cabinet Officers). The assigned Policy Officer is authorized to allow exceptions to the Policy in appropriate cases...”*

*“The Policy Officer will identify an ‘Owner’ for each Policy. The Policy Owner is an expert on the Policy topic who may respond to questions about, and provide interpretation of the policy; and will typically be someone reporting to an executive level position (as defined above), but may be any other person to whom the President or a Vice President has delegated such authority for a specified area of University operations. The Owner has primary responsibility for maintaining the relevant portions of the Regulations Library... [and] bears the responsibility for determining –requirements of particular Policies...”*  
*University Rule 1-001-III-B & E*

## VII. History

Renumbering [not applicable]

Revision History:

- A. Current Version: Revision 0. This Interim Policy 1-021, Revision 0, and the accompanying Interim Rules 1-021A, 1-021B, and 1-021C, were adopted on December 8, 2020, by University President Ruth Watkins, with designated effective date of January 1, 2021. This set of Interim Regulations was subsequently presented to the Academic Senate Executive Committee December 10, 2020, presented for the Information and Recommendations of the Academic Senate, January 11, 2021, and presented for approval of the Board of Trustees February 9, 2021. These were enacted as Interim Regulations (in accord with Policy 1-001) in order to comply with recently changed state law (Utah House Bill 12). They will remain in effect until a permanent version is adopted, which is anticipated to occur by December 2021, after review by appropriate internal University groups.

[Legislative History](#) of Revision 0

- B. Earlier versions. [reserved]