

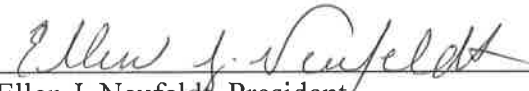
POLICY ON ETHICAL CONDUCT

EFFECTIVE: 7 / 19 /2019

Definition: This policy defines ethical conduct for faculty members at California State University San Marcos and provides recommendations for resolving the potential breach of ethical standards.

Authority: The policy is modeled on the Statement of Professional Ethics of the American Association of University Professors. (Recommendations for resolving a potential breach of ethical standards have been designed to comply with the protection of faculty rights as stated in the CSU Unit 3 Collective Bargaining Agreement.)

Scope: All CSU San Marcos faculty, defined as lecturers holding appointments in an academic department, tenure track faculty, and librarians.



Ellen J. Neufeldt, President

7/19/19
Approval Date



Kamel Haddad, Interim Provost & Vice President for Academic Affairs

7/16/19
Approval Date

Revision Two: 7 / 19 /2019

Revision One: (Policy Revised/approved Senate 12/6/17; not approved by administration)

Implemented: 04/17/2000

EFFECTIVE: 7/19/2019

INTRODUCTION

The following statement, based on the “Statement on Professional Ethics of the American Association of University Professors,” shall be the policy of the Faculty of California State University San Marcos concerning ethical conduct. ‘Faculty’ below denotes all lecturers holding appointments in an academic department, tenure track faculty, and librarians.

I. As Members Of The Teaching Profession, Faculty Members:

- A. Seek and state the truth as they see it.
- B. Devote their energies to developing and improving their scholarly competence.
- C. Accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge.
- D. Practice, foster, and defend intellectual honesty, freedom of inquiry, and academic freedom.
- E. Avoid allowing subsidiary interests to hamper or compromise freedom of inquiry.

II. As Teachers, Faculty Members:

- A. Encourage the free pursuit of learning in their students.
- B. Hold before their students the best scholarly and ethical standards of their discipline.
- C. Demonstrate respect for their students as individuals.
- D. Adhere to their proper roles as intellectual guides and counselors.
- E. Make every reasonable effort to foster honest academic conduct.
- F. Make every reasonable effort to ensure that their evaluations of students reflect each student’s true merit.
- G. Respect the confidential nature of the relationship between faculty members and students.

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- H. Avoid any exploitation, harassment, or discriminatory treatment of students.¹
- I. Acknowledge significant academic or scholarly assistance from students.
- J. Protect the academic freedom of students.
- K. Present the subject matter of courses as approved by the Faculty and announced to students.

III. As Colleagues, Faculty Members:

- A. Do not discriminate against, intimidate, or harass colleagues.
- B. Respect and defend the free inquiry of associates.
- C. Show respect for the opinions of others in the exchange of criticism and ideas.
- D. Acknowledge academic debts.
- E. Strive to be objective in their professional judgment of colleagues.
- F. Accept their share of faculty responsibilities for the governance of the University.

IV. As Members Of An Academic Institution, Faculty Members:

- A. Seek above all to be effective teachers and scholars.
- B. Observe the stated regulations of the University, provided those regulations do not contravene academic freedom,² but maintain the right to criticize and seek revision.

¹ For more information about campus resources available in response to incidents or concerns over discrimination, harassment, sexual harassment, and retaliation, please refer to the appropriate CSU Executive Orders governing such matters (including EO 1096 Revised), and/or consult with the Campus DHR Administrator and/or Campus Title IX Coordinator."

² 'Academic freedom' in this context refers to the concept as delineated in the "1940 Statement on Principles of Academic Freedom and Tenure," promulgated by the American Association of University Professors (AAUP) and endorsed by more than 240 national scholarly and educational associations.

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- C. Give due regard to their paramount responsibilities within the University in determining the amount and character of work done outside the University.
- D. When considering interruption or termination of their service, recognize the effect of their decision on the University and give due notice of their intentions.
- E. Avoid creating a conflict of interest (see appendix A) in the exercise of their multiple professional responsibilities.

V. As Members Of Communities, Faculty Members:

- A. Recognize that the exercise of their rights and the discharge of their obligations as individuals may come into conflict with their responsibilities to their disciplines, their students, their profession, and the university; and they are aware that they must take care when negotiating among their multiple identities.
- B. Avoid creating the impression of speaking or acting for the University when they speak or act as private persons.
- C. Recognize their particular obligation, as individuals engaged in a profession that depends upon freedom for its health and integrity, to promote conditions of free inquiry and to further public understanding of academic freedom.

DISPUTES / MEDIATION / RESOLUTION

Faculty hold themselves, and each other, to a high ethical standard. On rare occasions, however, faculty may be confronted with apparent ethical violations by one or more of their colleagues. In addition, disputes about ethics may emerge between faculty members. Wherever possible, disputes between faculty members should be resolved between the parties. Assistance to mediate the dispute is encouraged. If a faculty member needs assistance with a potential ethical violation or dispute, they may contact:

- A neutral, confidential, informal and independent University Ombuds to discuss or mediate; or
- An appropriate administrator.

Formal disciplinary processes are outlined and governed by the Unit 3 Collective Bargaining Agreement. Informal resolution of ethical issues and disputes may be achieved by the means outlined above. Faculty members always have the right to consult with the California Faculty Association as well.

APPENDIX A: CONFLICTS OF INTEREST

- I. In the context of this Policy on Ethical Conduct, a conflict of interest is an agreement, relationship, or other arrangement, be it personal or professional, formal or informal, that undermines an individual faculty's impartial performance of their professional duties and obligations. Students have a just expectation that they will be instructed, evaluated, and supervised by an impartial and unbiased faculty. Faculty have a similar expectation that their professional and academic evaluations and supervision are free from the self-interest of their peers. Maintaining fairness and impartiality is one of the central ethical responsibilities of faculty. This fairness and impartiality assures both the academic integrity of the University and faculty academic freedom.

- II. In addition to the legal contracts existing between students and the University, there is an equally important "social contract" between students and the faculty, in which each fulfills its duties and obligations to the other. Interests that conflict with those obligations include actions or requirements of the faculty that are grounded in private interest or gain, rather than in professional responsibility. Examples of conflicting interests grounded in private interest or gain are: requiring the purchase of course materials from which an instructor makes a profit; and giving academic credit for student research which the instructor puts to use for private gain or profit. This is not to discourage faculty from using their own faculty-authored books in their courses. Faculty are encouraged to explore ways that profits may be otherwise distributed (e.g., auxiliaries, affiliates, academic programs and/or departments).

- III. Other conflicts of interest may arise in view of the disproportion of influence, authority and power between faculty and students. Thus, instructors should not engage students in their classes or under their supervision in relationships that are so personal that the presumption of professional fairness is difficult to maintain. Faculty members, for example, ought not instruct or supervise students who are obligated to them financially; and faculty ought not supervise or instruct students with whom they have relationships grounded in interests inconsistent with their professional responsibility and the mission of the University. These conflicts of interest include but are not restricted to sexual relationships, close personal friendships, close family relationships, and employer-employee or other fiduciary relationships.