

Faculty Senate Professional Relations Committee
Resolution on Clarifications for Introduction to Ethics Violations
Faculty Senate
June 6, 2011
PASSED

Whereas, many faculty remain unaware of important university policies as well as Faculty Handbook provisions that govern professional behavior; and

Whereas, language reminding faculty and staff about relevant principles of due process is currently absent in the Faculty Handbook;

Be it resolved that the Faculty Handbook be amended to include the following language noted in bold in Section IV.L.1:

L. Procedures in the Event of Allegations of Violation of Professional Ethics
Introduction

- a. The Faculty Senate and the Provost of Ohio University have adopted a statement on Professional Ethics. (See Section I.A of the *Faculty Handbook*.) In Sections IV.L.2 and IV.L.3 procedures for the investigation and resolution of alleged violations of Professional Ethics are specified. Section IV.L.2 applies to alleged violations of Professional Ethics not involving professional research misconduct, while section IV.L.3 applies to alleged Fraud and Misconduct in Professional Research (See Policy No. 19.048 in the Policy and Procedures Manual). Procedures for Loss of Tenure are in Section II.D.5 of the *Faculty Handbook*.
- b. When an allegation of Professional Ethics is raised under Section IV.L.2, a faculty member shall enjoy protection against unjust and arbitrary application of disciplinary penalties. The process used should uphold academic freedom and individual rights, and requires diligent attention to fairness, dignity and respect. These proceedings may give rise to allegations of actual or perceived conflicts of interest. Conflicts of interest may be self disclosed, raised or alleged by others and should be avoided and mitigated to the greatest extent possible. Allegations alone shall not be grounds for a finding of a violation of professional ethics under IV.L.2. Someone alleged to have violated IV.L.2 shall not be judged to be accountable until culpability or responsibility is found by the standard of clear and convincing evidence. If a violation is found, and a sanction recommended, no sanction or adverse action shall be imposed until the person found to have been in violation of professional ethics has exhausted all pending or authorized University appeals.**
- c. **Members of the faculty should familiarize themselves with the University policies on Whistle-blowing and Retaliation (03.006), Workplace Violence (41.135), and Harassment (03.004).**