

Professional Standards for Faculty

201.96

I. Policy

The University of Michigan strives to create and maintain a community that enables each person to reach his/her full potential. To do so requires an environment of trust, openness, civility and respect. The University is firmly committed to a policy of prohibiting behaviors which adversely impact a person's ability to participate in the scholarly, research, educational, patient care, and service missions of the University.

The University has a compelling interest in assuring an environment in which productive work and learning may thrive. At the same time, the University has an interest in respecting freedom of speech and protecting academic freedom and in preserving the widest possible dialogue within its instructional and research settings. As such, the University recognizes and expects there to be open discourse and exchanges that may cause some of its members to feel uncomfortable. It is through such exchanges that the flow of ideas and countervailing thoughts and experiences are expressed which can facilitate deeper understanding and learning. However, the University also expects its community members to engage in such interactions in a professional manner. This is particularly true of its faculty, as the faculty have not only the obligations of all citizens in the community at large but also the obligations that derive from common membership in the community of scholars. The faculty's privileges and protections, including that of tenure, rest on mutually supportive relationships between the central functions of the University and the faculty's special professional competence, academic freedom in research, publication, teaching, service, and intra-and extramural communication. These relationships are also the sources of the professional responsibilities of faculty members.

It is the intent of this policy to protect academic freedom and to help preserve the highest standards of teaching and scholarship in order to advance the mission of the University. This policy is specific to conduct which is not protected and covered under the principles of freedom of speech and academic freedom but rather conduct that the community would view as counter to its norms and expectations and which hinders other members of the community in the exercise of their professional responsibilities and academic freedoms. The University is prepared to act to prevent or remedy behaviors that interfere with, or adversely affect, a person's ability to learn or do his/her job. Thus, responsible efforts to ensure compliance with this and other University/unit policies are consistent with the SPG.

The schools and colleges may supplement this policy with unit-specific measures that enhance the policies expressed in this SPG. All such policies must be in accordance with all of the policies of the University and with all applicable federal and state laws and regulations.

II. Definitions

The following types of behaviors may be subject to professional sanction, including discipline up to and including dismissal in accordance with the appropriate procedures.

These behaviors include oral, written, visual, or physical actions by a member of the faculty that:

- a) Have the purpose or effect of unreasonably interfering with an individual's employment or educational performance; and/or
- b) Have the purpose or effect of creating an intimidating, hostile, offensive or abusive climate for an individual's employment, academic pursuits, living environment, or participation in a University activity.

Some examples of conduct that may violate this policy include, but are not limited to: threatening behavior, actions, or comments; bullying behavior (defined as a persistent pattern of negative behavior based upon a real or perceived power imbalance which belittles another member of a unit); disruption of functions or activities sponsored or authorized by the University; forcible detention, threats of physical harm to, or harassment of another member of the University community; and behavior that results in a hostile working or learning environment. This list is not exhaustive, and faculty may be

subject to sanction and disciplinary action for any type of conduct which, although not specifically enumerated, meets the standard for unacceptable faculty behavior set forth above.

III. Alleged Violations of this Policy

Alleged violations of this policy should be reported on a timely basis to an administrator (e.g., Dean, Chair or Director in an academic unit, Academic Human Resources, or the immediate supervisor of the person alleged to be in violation of the policy). This administrator must ensure that appropriate action is taken to address the situation. If warranted, a prompt inquiry shall be undertaken, and the faculty member shall be afforded an opportunity to respond to the allegations against him or her prior to a determination as to whether the policy has been violated.

Prior to the imposition of any significant sanction or disciplinary action, to ensure that a level of peer review has occurred, the administrator shall consult with a relevant faculty executive or advisory committee. Each unit will determine the process by which peer review can be effectively and efficiently achieved and the appropriate sanction or sanctions recommended. Concerns regarding alleged unprofessional conduct may arise from a pattern of behavior and interactions, rather than a single event. The faculty who provide the peer review should look at the totality of the circumstances and not just the precipitating event.

The University will take appropriate steps to ensure that a person who, in good faith, reports or participates in a resolution of a concern brought forward under this policy is not subject to retaliation. In addition, subjecting such a person to retaliation is itself a violation of this policy.

Violation of this policy may result in appropriate sanction or disciplinary action. If dismissal is proposed, the matter will be addressed through the appropriate procedure (e.g. Regents' Bylaw 5.09, SPG 201.12). A faculty member who is sanctioned or disciplined under this policy may have the right to appeal such action under the applicable procedure, typically the school/college faculty grievance procedure.

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