

**SAN JOSÉ STATE UNIVERSITY  
ONE WASHINGTON SQUARE  
SAN JOSÉ, CA 95192**

**University Policy  
F24-2, Board of Professional Responsibility**


**Rescinds: S99-9**

**Legislative History:**

On November 4, 2024, the Academic Senate approved University Policy, Board of Professional Responsibility, to rescind University Policy S99-9, presented by Senator Riley for the Professional Standards Committee.

**ACTION BY UNIVERSITY PRESIDENT:**

Date: \_\_\_\_\_

Signed and approved by:   
\_\_\_\_\_  
**Cynthia Teniente-Matson, President,  
San José State University**

**University Policy  
Board of Professional Responsibility**

Legislative History: This proposal would rescind S99-9 (Board of Professional Responsibility) and replace it with the following policy recommendation.

Rationale: The policy establishing the Board of Professional Responsibility has not been updated in 25 years, while the procedures and university offices for addressing breaches of professional ethics have undergone many changes in that time. In addition, the current makeup of the Board



posting of procedures, and the evaluation of findings that are proposed to be placed in Personnel Action Files.

## **1 Mission**

1. The Board of Professional Responsibility (BPR) is charged with monitoring and ensuring professional responsibility among San José State University faculty, as defined in S99-8 Professional Responsibility. To carry out this charge, BPR will:

- 1.1 Monitor the state of faculty professional responsibility at the University and make reports and recommendations to the Academic Senate regarding revisions of policy and other documents relating to professional responsibility;
- 1.2 Be available to consult with all members of the University on issues within the Board's purview, with the understanding that as University employees, they may have a duty to report ( § 3 below);
- 1.3 Address complaints of infringements of Academic Freedom brought by members of the University and issue findings as appropriate;
- 1.4 Advise and assist University Personnel-Academic Employee Relations (UP-AER) with allegations/complaints of violations/breaches of professional responsibility, pursuant to § 2, below;
- 1.5 Review and adjudicate disputes regarding Student Fairness Committee (SFC) recommendations, as described in University Policy S14-3, Student Fairness Dispute Resolution, § VI;

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2.1.1 Pursuant to applicable Executive Orders and/or policies, a list of these offices

- 3.1 In consultation with UP-AER, BPR shall develop and revise, as needed, procedures to process requests for consultation and complaints from receipt to resolution.
- 3.2 Appendix A includes a list of suggested procedures. BPR's procedures shall be shared with Faculty Services and publicly posted by the University through its various platforms of communication.

#### **4 Alleged Infringements of Academic Freedom**

2. BPR will develop and revise, as needed, procedures to evaluate allegations of infringements of academic freedom in violation of University Policy S99-8 Professional Responsibility. Findings will be communicated per § 5.2, below.

#### **5 Communication of Findings**

- 5.1 The findings of the BPR related to SFC or SCED cases shall be addressed as described in University Policy S14-3, Student Fairness Dispute Resolution, and University Policy F15-7, Academic Integrity.
- 5.2 The findings of the BPR related to breaches of faculty professional responsibility as outlined in S99-8 Professional Responsibility, including breaches of academic freedom, shall be presented to the involved parties and UP-AER in writing. Such findings may fall into three categories:
  - 5.2.1 The BPR may find that a complaint is without merit or that the evidence is insufficient to determine that a complaint has merit. In such cases, the decision of the BPR is final.
  - 5.2.2 The BPR may find that a complaint has merit and that a satisfactory informal resolution can be reached. In such cases, the findings and resolution achieved shall be documented and sent to the principal parties and UP-AER.
  - 5.2.3 The BPR may find that a complaint has merit and is of sufficient gravity that an informal resolution is not achievable. In such cases, the BPR shall make recommendations for further action to the President or their designee. It shall document such recommendations by following the procedures for placing material in the PAF as established in the CFA/CSU Collective Bargaining Agreement.<sup>5</sup>

#### **6 Appointment, Qualifications, and Terms of Membership**

- 6.1 BPR will consist of five faculty members-at-large, each from a different college/academic unit; membership is restricted to tenured faculty and Senior Lecturer faculty, with a majority of tenured professors. The members shall be appointed by the Academic Senate after recommendation by the Senate Executive Committee.



## **Appendix A: Suggested Procedures for Complaints Containing Allegations of Professional Misconduct or Infringements of Academic Freedom**

The BPR is charged with developing procedures, in consultation with the UP-AER, to address and resolve complaints in alignment with University Policy S99-8, Professional Responsibility. These procedures may include but are not limited to:

1. Development of a process to examine and discuss an incoming complaint;
2. Development of standards to determine whether a complaint is amenable to informal resolution and, the process of conducting an informal resolution
3. Development of a process that BPR will use to assist in achieving informal resolutions;
4. Development of a method for determining the Board's final findings and voting on them;
5. Development of notification procedures including but not limited to the principal parties and other relevant parties;
6. Development of a process for the communication of findings to all required parties ( § 5 above).