

SAN JOSÉ STATE
UNIVERSITY
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SAN JOSÉ, CA 95192

Amendment B to University Policy S99 -8 Professional
Responsibility Statement

Legislative History:

On December 4, 2023, the Academic Senate approved Amendment B to University Policy S99-8, Professional Responsibility Statement, presented by Senator French for the Professional Standards Committee.

ACTION BY UNIVERSITY PRESIDENT:

Action by University President:

Date:

A handwritten signature in black ink, appearing to read "Amanda French", is written over a horizontal bar with a green-to-yellow gradient background.

definition of bullying in University policy. This policy adds such a definition, and includes it as an example of behavior that falls outside of acceptable standards for professional responsibility among faculty.

After feedback from the first Senate reading, three significant changes were made:

1. Language about respect for differing research methodology has been added to Section B.3.
2. More specific language about what sorts of nonverbal and/or nonvocal expressions would

FACULTY PROFESSIONAL RESPONSIBILITY

I. Statement of Professional Responsibility for Faculty

A. Preamble

Professional responsibility is the natural complement of the academic freedom essential to the university's mission. Through their responsible professional conduct, faculty members promote and protect academic freedom. Since faculty members belong to a profession with the rights of self governance, they also have the obligation to establish standards of professional conduct and procedures to enforce them. The following standards provide guidance for certain ethical questions which may arise over the course of a faculty member's career. They are not an exhaustive list. They are built upon the foundations of academic freedom; they are the ideals to which all faculty members should aspire.

and iii) encourages sensitivity to the possibility of multiple interpretations of speech and actions.

- do not allow their subsidiary interests to compromise their freedom of inquiry.

b. engage in research and other professional and creative activities; they

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d. further public understanding of academic freedom.

C. Conflicts of Interest

Definition: In the context of professional responsibility, a conflict of interest is an agreement, relationship, or other arrangement, be it personal or professional, formal or informal, that undermines the faculty's disinterested performance of its professional duties and obligations.

Importance: Students have a just expectation that they will be instructed, evaluated and supervised by a disinterested faculty. Faculty members have a similar expectation that their professional and academic evaluations and supervision are from the self-interest of their peers. Maintaining disinterestedness is one of the faculty's central ethical responsibilities. The disinterestedness of the faculty assures both the academic integrity of the University and the faculty's academic freedom.

Conflicts of interest between faculty and students: In addition to the legal contracts existing between students and the University, there is an equally important "social contract" between them and the faculty, in which each fulfills its duties and obligations to the other. Many of the faculty's responsibilities under this "contract" are found in Section 2. of this document. Interests that

evaluating or supervising faculty who are family members or parties in relationships grounded in interests (e.g., personal, professional or financial interests) that preclude disinterestedness.

Beyond questions of peer evaluation, the faculty must ensure that its research or comparable activities are consistent with the mission of the University and with professional standards. The faculty must maintain a disinterested pursuit of truth in their professional activities, one uncompromised, for example, by the pursuit of fees, royalties, and other forms of compensation. Disinterestedness comes into question when subsidiary concerns or private gain makes one's intellectual honesty and freedom of inquiry problematic.

The faculty holds that the right of a faculty member to freely associate with colleagues must be honored and protected in instances when professional conflicts of interest are not at issue. Following the principle of disinterestedness, the faculty also recognizes that non-academic relationships between faculty members may become sensitive issues when placed in the context of professional evaluation and supervision (e.g., the recruitment, retention, tenure or promotion of faculty). A faculty member should be excused from these duties when a potential conflict of interest exists. If it is not possible to excuse a faculty member in such circumstances, the faculty member who conducts the evaluation or supervision should advise his/her chair or appropriate party (e.g., a supervisor or dean) of the situation.

Importance of ethical conduct in fact and appearance Recognizing aonin maacumpoct7 ((e.g)-2005 (, t)a 0BT /T

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sufficient to qualify as unprofessional conduct or bullying, but an especially severe or egregious act
may so qualify. Examples of bullying could include, but are not limited to:

1. Abusive expression directed at another person in the workplace, such as derogatory remarks that are outside the range of reasonably accepted expressions of disagreement, disapproval, or critique in an academic or professional setting;
2. Unwanted physical contact and/or aggressive, derogatory, hateful, or otherwise unprofessional nonverbal and/or nonvocal expressions;
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Faculty members may obtain assistance in gaining awareness and understanding of laws and regulations that may govern their conduct from their department chair (or equivalent unit head) or the Office of Faculty Services.

F. Additional References

University policies that relate to academic freedom and faculty responsibilities include:

1. S9212, Statement on Academic Freedom and Artistic Expression.
2. F125, Policy and Procedures for Responding to Allegations of Scientific or Other Misconduct in Funded Research.
3. S9911, Conflict of Interest Policy For Principal Investigators.
4. F976, Policy and Assurance for Humane Care and Use of Animals at State University
5. F904, Policy for Protection of Human Research Subjects; Ethics; Institutional Review Board (IRB).
6. S948, Policy on Research, Scholarship and Creative Activity; Grants; Academic Freedom.
7. S945, F951 S999, Board of Professional Responsibility (BPR) provides an implementing mechanism for some of the policies described or referenced in this document.
8. S905, Student Rights and Responsibilities.

History

S93-12, Professional Responsibility, superseded F67 Academic Freedom and The Common Good (approved February 5, 1968), and S88 AUP Statement on Professional Ethics (approved May 6, 1988). S889 superseded S670, Professional Ethics (approved May 1967). S943 added the explanation on conflicts of interest to S92 (originally added as Appendix A) and made slight changes to two footnotes. S99 added Appendix B on conflicts of interest for principal investigators. S988 approved as University Policy on May 13, 1993, S94 was approved on April 12, 1994, and S95 was approved on April 6, 1995.

¹² Faculty are encouraged to review University Policies which are available at https://www.sjsu.edu/senate/university_policies/ as well as in the Academic Senate Office) to be sure they are fully aware of the most current policies pertaining to their activities as teachers, researchers, mentors, and employees and members of the SJSU/CSU community. Any questions about these policies or matters covered by this policy on Professional Responsibility, or relevant federal and state laws, should be directed to the department chair, college dean, Office of Faculty Affairs for Academic Senate Office, as appropriate.