

## Chapter 2

# Faculty Rights and Responsibilities

### 2.1 ACADEMIC FREEDOM (new)

#### 2.1.1 ACADEMIC FREEDOM<sup>1</sup> (formerly 2.8.10)

The university affirms and follows the idea that all members of the faculty are entitled to academic freedom, as defined in the following statements:

Institutions of higher education are conducted for the common good. The common good depends upon the free search for truth and its expression.

Academic freedom is essential to this purpose and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental to the protection of the rights of the faculty member in teaching and to the student to freedom in learning. It carries duties along with rights.

The faculty member is entitled to full freedom in research and in publication of the results, subject to the adequate performance of his/her other academic duties, but research for pecuniary return should be based upon an understanding and approval with the administration of the institution.

The faculty member is entitled to freedom in the classroom in discussing his/her subject, but should be careful not to introduce into his/her teaching controversial matter that has no relation to his/her subject.

The faculty member is a citizen, a member of a learned profession, and a representative of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but his/her special position in the community imposes special obligations. As a person of learning and an educational representative, he/she should remember that the public may judge his/her profession by his/her utterances. Hence, he/she should at all times be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that he/she is not an institutional spokesperson.

#### 2.1.2 STATEMENT OF FREEDOM AND RESPONSIBILITY<sup>2</sup> (formerly 2.8.11.2)

Membership in the academic community imposes on students, faculty members, administrators, and trustees an obligation to respect the dignity of others; to acknowledge their right to express differing opinions; and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression, both on and off the campus. The expression of

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<sup>1</sup> Revised 06/2023

<sup>2</sup> Revised 06/2023

dissent and the attempt to produce change may not be carried out in ways that injure individuals, damage institutional facilities, or disrupt the classes of one's teachers or colleagues. Speakers on campus must not only be protected from violence but also given an opportunity to be heard.

Students are entitled to an atmosphere conducive to learning and to evenhanded treatment in all aspects of the teacher-student relationship. Faculty members may not refuse to enroll or teach students because of their beliefs or the possible use to which they may put the knowledge gained in a course. Students should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or their own part in society.

Evaluation of students and the awarding of credit must be based on academic performance, professionally judged, and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, or personal beliefs.

Their mastery of a particular subject and scholarship on that subject entitles faculty members to freedom of presentation of their subject in their classrooms. However, it is inappropriate for a faculty member to persistently intrude material not related to the subject being taught, and it is also inappropriate for a faculty member to fail to present subject matter announced to the students and approved by the faculty in their collective responsibility for the curriculum.

Because academic freedom has traditionally included a faculty member's full freedom as a citizen, most faculty members face no unresolvable conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institution, on the other. However, if such conflicts become acute and the faculty member's attention to obligations as a citizen and moral agent precludes the fulfillment of substantial academic obligations, that faculty member cannot escape the responsibility of that choice and should either request a leave of absence or resign his/her position.

### **2.1.3 VIOLATIONS OF FACULTY RIGHTS, ACADEMIC FREEDOM, AND PROFESSIONAL RESPONSIBILITY<sup>3</sup> (formerly 2.8.13)**

While affirming academic freedom as a right, the university recognizes that, in some circumstances, academic freedom becomes enmeshed in questions of professional incompetence or irresponsibility. In the effort to distinguish between these two issues, the guiding principle is that charges of professional incompetence or irresponsibility shall not be used to limit academic freedom, nor shall appeals to academic freedom be automatically accepted as a shield for professional incompetence or irresponsibility.

## **2.2 FACULTY RIGHTS AND RESPONSIBILITIES (new)**

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<sup>3</sup> Revised 06/2023

### **2.2.1 ADHERENCE TO UNIVERSITY REGULATIONS<sup>4</sup> (formerly 2.8.2)**

An organization can operate effectively and consistently only if it has policies, guidelines, and rules to guide it and its members. The material in the Faculty Handbook represents an attempt to summarize those regulations pertaining directly to the faculty. Any new or amended policies will be approved by the appropriate bodies of the university and, as needed, will be disseminated online in the Manual of Policies and Procedures to the university community.

Each faculty member has a responsibility to know these regulations and to adhere to them. If questions of interpretation arise, clarification should be sought from the department head, dean, Provost and Executive Vice President for Academic Affairs, or the President. Any exceptions mutually agreed to by the university's administration and a faculty member must be in writing and signed by the faculty member and the appropriate university officials.

### **2.2.2 PRINCIPAL OCCUPATION<sup>5</sup> (formerly 2.8.3)**

A faculty member is appointed with the expectation that he/she shall be principally occupied with the academic growth and development of Jacksonville State University's students. Participation in individual learning/development projects (e.g., faculty development activities, research, grants, contracts, etc.) is encouraged. The faculty member is required to devote his or her full effort to teaching, scholarly activity, and service at Jacksonville State University, unless an exception has been agreed to by the university and the faculty member. The university expects that all faculty members will avoid activities that create a conflict of interest with their duties and responsibilities as faculty members. The university also expects that faculty members will observe the highest moral and ethical standards in any dealings in which they represent the university.

### **2.2.3 STATEMENT OF PROFESSIONAL ETHICS<sup>6</sup> (formerly 2.8.11)**

Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility is to seek and to state the truth as they see it. To this end, professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although they may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

As teachers, professors encourage the free pursuit of knowledge in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper role as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid

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<sup>4</sup> Revised 06/2023

<sup>5</sup> Revised 06/2023

<sup>6</sup> Revised 06/2023

any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect students' academic freedom.

As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas, professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

As members of an academic institution, professors seek, above all, to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within the institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations against their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their school or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

#### **2.2.4 CODE OF PROFESSIONAL ETHICS<sup>7</sup> (formerly 2.8.11)**

Although no set of rules or professional code can either guarantee or take the place of the faculty's personal integrity, the university endorses the following statements as reminders of the obligations assumed by all members of the academic profession. See also the Code of Conduct and Ethics in the Policies and Procedures Manual.<sup>8</sup>

#### **2.2.5 FACULTY RIGHTS AND RESPONSIBILITIES<sup>9</sup> (formerly 2.8.1)**

Membership in the academic profession carries with it responsibility for the stimulation of students' intellectual growth, the advancement of knowledge, and the improvement of society. Faculty must order and evaluate their activities in terms of their commitment to these goals, as well as in terms of their own personal and professional development.

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<sup>7</sup> Revised 06/2023

<sup>8</sup> <https://public.powerdms.com/JSUAL/documents/1534905>

<sup>9</sup> Revised 06/2023

Moreover, the faculty has a special obligation to understand the nature of Jacksonville State University and to appreciate its unique characteristics, its philosophy, and objectives. The faculty should strive to improve the intellectual and practical effectiveness of the university. While teaching shall normally be a faculty member's primary responsibility, faculty are also responsible for scholarship, which sustains and enriches teaching, research, publication, and service. In the arts, faculty are responsible for such evidence of creativity as exhibits, performances, and publication. Other faculty responsibilities are academic advisement; participation in department, school, and university governance; student recruitment; and community service. A faculty member shall be responsible for carrying out assigned duties satisfactorily. The responsibility to give time and talents to improve one's education and teaching, to seek professional achievement in one's academic discipline, and to support a general education shall also be an obligation of faculty members. During the term of, or upon the renewal of, the faculty member's appointment, the university reserves the right to change the faculty member's duties and responsibilities or to reassign the faculty member to another position, including one in a different academic department consistent with the needs of the university, so long as such change or reassignment take into consideration the faculty member's education and training.

The university does not wish to impose a rigid body of codified rules upon the members of its faculty. The university does, however, have certain legitimate expectations concerning the conduct of professional academics. The obligations incumbent on faculty members at Jacksonville State University are outlined below in a general way.

#### **2.2.6 APPROPRIATE DRESS<sup>10</sup> (formerly 2.16)**

As representatives of the university, faculty members should present themselves in a manner appropriate to their position.

#### **2.2.7 USE OF COPYRIGHTED MATERIAL<sup>11</sup> (formerly 2.8.8)**

Faculty are responsible for knowing and observing the laws concerning copyrighted material. University employees who wish to use copies of material created by others (printed material, videotape, computer software, or other materials related to electronic media) are responsible for determining its copyright status and should obtain written permission from the copyright owner before using the material except when the "fair use" criteria have been met.

#### **2.2.8 EQUAL OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT<sup>12</sup> (formerly in Forward)**

Jacksonville State University is an equal opportunity employer and educational provider that is dedicated to non-discrimination of any member of the university's community on the basis of race, creed, color, sex, religion, national origin, age, disability, genetic information, veterans' status, marital status, sexual orientation, gender identity, gender expression, or any other legally protected group status. This policy applies to faculty, staff, students, visitors, applicants,

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<sup>10</sup> Revised 06/2023; 02/2024

<sup>11</sup> Revised 06/2023

<sup>12</sup> Revised 06/2023

and contractors in a manner consistent with applicable laws, regulations, ordinances, orders, and university policies, procedures, and processes.

The university will consider through appropriate and designated procedures the complaint or grievance of any individual who has reason to feel he or she has been affected by discrimination because of race, color, religion, gender, national origin, age, disability, or veteran status.

As an institution of higher education, and in keeping with its policy of equal employment opportunity, the university hereby declares its policy of equal educational opportunity. All applicants for admission will be considered solely upon the basis of individual qualifications. All available student job opportunities will be distributed without regard to an applicant's race, color, religion, gender, national origin, age, disability, or veteran status. This policy will be noted in all student handbooks, and the complaint or grievance of any student or prospective student who has reason to feel he or she has been affected by discrimination will be considered through appropriate procedures.

A representative has been appointed as equal opportunity officer for the university. The equal opportunity office serves as an extension of the president's office and is directly responsible for the administration of the affirmative action plan of the university.

### **Notification of Non-Discrimination on the Basis of Sex and Grievance Procedures<sup>13</sup>**

JSU does not discriminate on the basis of sex in the educational programs or activities that it operates. JSU is required, by Title IX of the Education Amendments of 1972 and Department of Education regulations to implement Title IX, not to discriminate in such a manner. This requirement to not discriminate in educational programs and activities extends to employment by the university and to admission thereto. Questions regarding Title IX and the implementing regulations should be referred to JSU's Title IX Coordinator, to the Assistant Secretary of Education for Civil Rights, or to both. For more information about the Title IX grievance procedure, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment and how JSU will respond to such complaints, please visit our Title IX website<sup>14</sup> or contact our Title IX Coordinator: Title IX Coordinator Angle Hall, Suite 301-A (256) 782-5769, [titleix@jsu.edu](mailto:titleix@jsu.edu).

### **2.2.9 COURSE CONFLICT OF INTEREST<sup>15</sup> (formerly 2.8.11.3)**

Although faculty members strive to exercise objectivity and avoid biased or preferential treatment of any student, when the student is a relative/dependent, other students are likely to perceive favoritism at their expense. Because the faculty member's credibility among students may suffer, students should be discouraged from registering in a class taught by a relative or by someone to whom they are a dependent. If a student enrolls in a course taught

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<sup>13</sup> Revised 06/2023

<sup>14</sup> [Title IX - Title IX Overview \(jsu.edu\)](#)

<sup>15</sup> Revised 06/2023

by a relative/dependent, the department head must be informed of this enrollment, and mutually agreed upon steps for grade determination should be made.

#### **2.2.10 CONSENSUAL RELATIONS POLICY<sup>16</sup> (formerly 2.8.12)**

Faculty members, including students or other persons with teaching responsibilities, shall not have a relationship (consensual or otherwise) with a student who is enrolled in a course taught by the faculty member or whose academic work (including work as a teaching assistant) is being supervised by the faculty member. Faculty members who violate this policy may be subject to dismissal or termination.

Relationships between faculty and students occurring outside the instructional context may also lead to difficulties. Faculty may face serious conflicts of interest and should be careful to avoid any decisions that may reward or penalize the student involved.

#### **2.2.11 INTELLECTUAL PROPERTY<sup>17</sup> (formerly 6.7)**

Consistent with the university's objectives of supporting faculty research and maintaining a reputable academic standing, faculty members are encouraged to engage in scholarly activities that may result in the creation of patents and copyrights. Faculty members shall retain ownership of copyrights and patent rights from individual creative works, if no substantial aid from the university or from an outside agency operating through official university channels is received.

Rights pertaining to materials that result from university-assisted efforts, externally sponsored efforts, and university-assigned efforts shall be determined in accordance with the terms of the Jacksonville State University Manual of Policies and Procedures.<sup>18</sup>

#### **2.2.12 EXPERIMENTAL SUBJECTS<sup>19</sup> (formerly 6.9)**

All research involving human subjects conducted at the university or under the aegis of the university must be approved in advance by the Institutional Review Board. Consult the Jacksonville State University Manual of Policies and Procedures for additional details about research using human subjects.<sup>20</sup>

All research involving animal subjects conducted at the university or under the aegis of the university must be approved in advance by the Animal Care and Use Committee. Consult the Jacksonville State University Manual of Policies and Procedures for additional details on research, teaching, or testing using animal subjects.<sup>21</sup>

Participation in individual learning/development projects (e.g., faculty development activities,

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<sup>16</sup> Revised 06/2023

<sup>17</sup> Revised 06/2023

<sup>18</sup> [Policy II:05:03 Intellectual Property](#)

<sup>19</sup> Revised 06/2023

<sup>20</sup> <https://public.powerdms.com/JSUAL/documents/1291520>

<sup>21</sup> <https://public.powerdms.com/JSUAL/documents/1291522>

research, grants, contracts, etc.) is encouraged. The faculty member is required to devote his or her full effort to teaching, scholarly activity, and service at Jacksonville State University, unless an exception has been agreed to by the university and the faculty member. The university expects that all faculty members will avoid activities that create a conflict of interest with their duties and responsibilities as faculty members. The university also expects that faculty members will observe the highest moral and ethical standards in any dealings in which they represent the university.