

Faculty Senate  
Academic Freedom & Ethics  
Committee

UNLV



# Committee Purpose

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The Academic Freedom and Ethics Committee shall investigate complaints of interference in academic freedom and questions of ethical misconduct.



# Topics

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- Definitions of Academic Freedom
- Ethical Standards for Professors
- Committee Purpose
- Committee Structure
- Committee Responsibilities
- Complaint Process
- Committee Work Process
- Examples of Complaints
- Conclusion



# Academic Freedom

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“The freedom of a teacher or researcher in higher education to investigate and discuss the issues in his or her academic field, and to teach or publish findings without interference from political figures, boards of trustees, donors, or other entities. Academic freedom also protects the right of a faculty member to speak freely when participating in institutional governance, as well as to speak freely as a citizen.”

American Association of University Professors ([AAUP](#))



# Academic Freedom

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“Academic freedom is essential to these purposes and is applicable to both teaching and research. Freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student in learning. Freedom in research is fundamental to the advancement of truth and knowledge. A member of the faculty has freedom and an obligation, in the classroom or in research, to discuss and pursue the faculty member's subject with candor and integrity, even when the subject requires consideration of topics which may be politically, socially or scientifically controversial.”

TITLE 2 - Nevada System of Higher Education CODE CHAPTER 2

[ACADEMIC FREEDOM AND RESPONSIBILITY](#)



# Academic Freedom

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“Academic freedom is the full and unfettered pursuit of knowledge.”

[REAFFIRMATION OF THE PRINCIPLES OF ACADEMIC FREEDOM](#) -- THE FACULTY  
SENATE OF THE UNIVERSITY OF NEVADA, LAS VEGAS

Supplemental Statement on Academic Freedom, Faculty Senate, UNLV Approved  
by Faculty Senate vote of 28-8-0 on January 24, 2017.



# Ethical Standards

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**1. Practice intellectual honesty.**

**2. Relationships with students:** free pursuit of learning, foster honest academic conduct, evaluations reflect student's true merit, confidential nature of the relationship, avoid exploitation, harassment, or discriminatory treatment, protect their academic freedom.

**3. Relationships with colleagues:** do not discriminate against or harass, defend free inquiry, objective in their professional judgment, accept share of responsibilities for governance of institution.

AAUP [Statement on Professional Ethics](#)



# Ethical Standards

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**4. Seek to be effective teachers and scholars.** Observe regulations of the institution that do not contravene academic freedom, maintain their right to criticize and seek revision.

**5. Have the rights and obligations of other citizens and more.** When they speak or act as private persons avoid creating the impression of speaking or acting for their institution. Have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

AAUP [Statement on Professional Ethics](#)



# Purpose

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Safeguard  
Academic  
Freedom

Promote Ethical  
Conduct

Resource for Faculty



# Committee Structure

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## Representation

One faculty member from each college/school and one from the libraries, one professional staff member, and one administrative representative.

## Chair

Chaired by a faculty member elected by the committee.

## Terms

Members serve two-year terms.



# Responsibilities

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## Investigates Misconduct

Investigates complaints regarding interference in academic freedom (as defined in UNLV Bylaws) and questions of ethical misconduct submitted by a faculty or professional staff member.

## Provides Guidance

Provides guidance and support to faculty members facing ethical dilemmas, assisting in the upholding of ethical standards.

## Policy Review

Reviews and recommends policies related to academic freedom and ethical conduct.



# Complaint Process Initiation - #1

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The Executive Committee of the Senate or the Senate Office notifies via email the FS Academic Freedom and Ethics Committee of.....

- Questions of ethical conduct of a member of the academic or administrative faculty in pursuit of their official duties.
- Violations of academic freedom as defined in the code.
- Policies to be reviewed.



# Complaint Process Initiation - #2

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Academic faculty notify the FS Academic Freedom and Ethics Committee and the Chair of the Faculty Senate via email.

- Questions of ethical conduct of a member of the academic or administrative faculty in pursuit of their official duties.
- Violations of academic freedom as defined in the code.



# Complaint Process - #2

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## Petitioner Identifies the Issue

The person filing a complaint should clearly identify the violation of academic freedom or ethical conduct of a member of the academic faculty or administrative faculty. Include references to Bylaws etc.

## Petitioner Prepares a Grievance Petition

The person filing the complaint, known as the Petitioner, must prepare a petition. The person against whom the complaint is brought is known as the Respondent.

## Petitioner Provides Evidence

The burden of proof rests with the Petitioner. They must provide a preponderance of evidence for each charge in the petition.



# Complaint Process - #2

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## Respondent Response

Respondent has 90 calendar days from the day they receive a copy of the petition from the Faculty Senate Chair to file a response addressed to the Committee in care of the Chair of the Faculty Senate. References to specific bylaws, code sections and the like are encouraged.

## Respondent Response

Failure to respond within the time limit may be deemed a default by the Respondent and the Committee shall recommend in favor of the Petitioner. Committee shall grant extensions of time for good cause.



# Committee Work Process

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## Complaint Evaluation

Committee will notify the Senate Chair if it determines it does not have jurisdiction. Makes recommendations for where to refer the respondent.

## Investigation Process

Emphasize transparency and impartiality

## Investigation Process

Respect for confidentiality will be maintained through the process of the petition.



# Committee Work Process

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## Allegations Management

Petitioner allegations or concerns regarding academic freedom or ethical misconduct are brought to the committee's and FS Chair's attention.

## Investigations

The committee investigates allegations and concerns. The respondent (the party against whom the petition is filed) is asked to rebut the complaint.

## Hearing

Committee may hold a hearing where it summons witnesses. Parties may request a hearing, including summoning witnesses and presenting other evidence. Review Committee may deny a hearing.



# Committee Work Process

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## Review Committee

No members may be from the same college/unit as the Petitioner or Respondent. Any member who has a conflict of interests or may reasonably be perceived to have a conflict of interest shall not be chosen as a member of the review committee.

## Communication of Results

Outcomes of investigations and recommendations are reported via email to FS Chair, who emails report to all parties and the President.



# Examples of Complaints

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## Ethical Misconduct Accusation

Dean accused of nepotism.  
Hired family member as PTI  
and gave them different  
curricular responsibilities  
compared to full- time  
faculty.

## Investigation

Petitioner,  
respondent, and  
involved faculty were  
all interviewed.

## Communication of Results/Recommendations

Faculty senate chair and  
executive committee notified  
of findings and  
recommendations.

Results: PTI in question not  
rehired. Dean retired soon  
after.



# Examples of Complaints

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## Complaint

Dean accused of changing grades submitted by faculty members. Dean had no communication with faculty member about such change.

## Investigation

[AAUP](#): Administrators shouldn't substitute their judgment for a faculty members concerning grades.

## Investigation

[AAUP](#): Student grade complaints should be evaluated by faculty members under procedures adopted by faculty and any resulting change in grade should be by faculty authorization.



# Examples of Complaints

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## Investigation

Committee reviewed related Code, Bylaws, and policies.

## Findings

Identified conflicts in the UNLV Grade Change Policy. Identified an indication that the policy allowed overturning of student grades by administrators which appears to violate academic freedom.

## Communication of Results/Recommendations

Faculty senate chair and executive committee notified of findings and recommendations for changes in the grade change policy.



# Examples of Complaints

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## Policy Creation/Review

Vice Provost for Faculty Affairs and FS Chair invited committee to review policy on Faculty Use of Self-Published Text Books in their Courses.

## Investigation

Committee evaluated current policy in comparison to new publishing models that have been created since creation of the policy.

## Communication of Results/Recommendation

Policy and Faculty Reporting Form modified. FS Chair notified of recommended changes.



# Conclusion

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The Faculty Senate Academic Freedom and Ethics Committee exists to play a crucial role in supporting academic freedom and promoting ethical conduct among university employees, thus positively impacting the university's culture of integrity, accountability, and academic freedom.

[Academic Freedom and Ethics Committee Bylaws](#)

