

CHAPTER 8: FACULTY RIGHTS AND RESPONSIBILITIES

8.01. FACULTY RIGHTS.

A. Members of the faculty individually enjoy and exercise all rights secured to them by the Constitutions of the United States and the State of Wisconsin, and by the principles of academic freedom as they are generally understood in higher education, including professional behavior standards and the expectation of academic due process and just cause, as well as rights specifically granted to them by: regent action, University of Wisconsin System rules, these policies and procedures, and relevant practices or established custom of their colleges or schools and departments.

B. Academic freedom is the freedom to discuss and present scholarly opinions and conclusions regarding all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to reach conclusions according to one's scholarly discernment. It also includes the right to speak or write—as a private citizen or within the context of one's activities as an employee of the university—without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties, the functioning of the university, and university positions and policies.

C. Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest or concern, one is speaking on behalf of oneself, not the institution.

D. In any consideration of matters of tenure and academic freedom, the following statement of policy is relevant. It was enunciated at the time of the previous codification of the Laws and Regulations of the University of Wisconsin by the Regents of the University of Wisconsin on January 10, 1964. "In adopting this codification of the rules and regulations of the University of Wisconsin relating to tenure, the Regents reaffirm their historic commitment to security of professorial tenure and to the academic freedom it is designed to protect. These rules and regulations are promulgated in the conviction that in serving a free society the scholar must himself be free. Only thus can he seek the truth, develop wisdom and contribute to society those expressions of the intellect that ennoble mankind. The security of the scholar protects him not only against those who would enslave the mind but also against anxieties which divert him from his role as scholar and teacher. The concept of intellectual freedom is based upon confidence in man's capacity for growth in comprehending the universe and on faith in unshackled intelligence. The university is not partisan to any party or ideology, but it is devoted to the discovery of truth and to understanding the world in which we live. The Regents take this opportunity to rededicate themselves to maintaining in this university those conditions which are indispensable for the flowering of the human mind."

8.02. FACULTY DUTIES AND RESPONSIBILITIES.

A. **FUNDAMENTAL RESPONSIBILITIES.** The university faculty are responsible for teaching, research or other scholarly activity appropriate to the discipline, and public service. Furthermore, every

faculty member has an obligation to maintain professional honesty and integrity, to seek knowledge and to share that knowledge freely with others. No member of the faculty shall be absent from his/her classes or other regular duties at the university except by the permission of the chancellor or appropriate dean. Faculty members shall avoid a concentration of class hours that is detrimental to effective teaching. It is the responsibility of faculty members to carry out duties assigned by the department, and to share in the governance of the institution as a whole.

B. ATTENDANCE AT MEETINGS. It is the duty of faculty members to attend departmental, school or college, and university faculty meetings.

8.03. EARNED DEGREES.

A member of the university faculty as defined in 1.02. may pursue a degree at the University of Wisconsin-Madison provided (1) the employing department(s) and dean(s) have been notified and, if necessary, satisfactory arrangements have been made regarding released time and/or budgetary adjustments, and (2) the chair of the department(s) and the dean(s) of the school(s) or college(s) responsible for the degree program agree that no conflict of interest exists.

8.04. RESTRICTIONS ON FACULTY ACTIVITIES.

A. GIFTS IN KIND. Gifts in kind (e.g., books, art objects, equipment) require formal acceptance by the Board of Regents, after discussion as to their acceptability with appropriate departments, administrative officers, and other parts of the university.

B. SOLICITATION OF FUNDS. No member of the faculty shall formally solicit or accept funds for the university or any department thereof, without authority from the Board of Regents.

C. CONFLICTS OF INTEREST. No university faculty member may engage in activities which are not consistent with the provisions of UWS 8.03; actions to be taken to avoid conflict are specified in UWS 8.04.

8.05. USE OF UNIVERSITY FACILITIES.

A. USE FOR PERSONAL OR OUTSIDE ACTIVITIES. University facilities, equipment, and supplies shall not be used by the faculty for purposes other than carrying out their institutional responsibilities. If for any reason a faculty member deems it essential to use such facilities, equipment, or supplies for personal or outside activities, the faculty member must seek prior written approval of the department chair and the dean or other appropriate administrator.

B. UNIVERSITY SEAL. The university seal, or any copy or imitation of it, may not be used by any person, firm, or corporation without the express permission of the Board of Regents or its delegate.

C. CARE OF UNIVERSITY PROPERTY. All apparatus, museum materials, scientific collections, books, and other university property shall be in the immediate care of the faculty of the respective departments to which such materials belong, subject to the control of the appropriate administrative authorities.

8.06. PERSONAL GAIN FROM UNIVERSITY POSITION.

A. Definitions used hereafter in this chapter (see UWS 8.02): “Immediate family” means (a) a faculty member’s spouse; and (b) any person who receives, directly or indirectly, more than one-half of his or her support from a faculty member or from whom a faculty member receives, directly or indirectly, more than one-half of his or her support. “Organization” means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic. “Associated,” when used with reference to an organization, means that a person or a member of a person’s immediate family is a director, officer or trustee or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity.

B. No faculty member may, in a manner contrary to the interests of the University of Wisconsin System, use or attempt to use his or her public position or state property, including property leased by the state, to gain or attempt to gain anything of substantial value for his or her private benefit, his or her immediate family, or any organization with which the faculty member is associated.

C. No member of the faculty may solicit or accept from any person or organization anything of value pursuant to an expressed or implied understanding that his or her conduct of university business would be influenced thereby.

D. No member of the faculty may intentionally use or disclose confidential university information in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person or organization with which the faculty member is associated.

8.07. CONTRACTING AND LEASING.

A. No member of the faculty, member of his or her immediate family, nor any organization with which the faculty member is associated, may enter into any contract or lease involving payments of \$3,000 or more within a 12-month period, derived in whole or in part from university funds, if the faculty member is in a position to approve or influence, in his or her official capacity, the university’s decision to enter into the contract or lease.

B. If the faculty member is not in a position to approve or influence the university’s decision, he or she may enter into a contract or lease described in 8.07.A. above if the faculty member first makes written disclosure of the nature and extent of any relationship described in 8.07.A. to the dean, director, or other appropriate administrator and he or she approves. The dean, director or other appropriate administrator shall approve a faculty member’s interest in a lease or contract unless he or she determines that the faculty member’s personal interest in the agreement will conflict substantially and materially with the faculty member’s discharge of his or her university responsibilities.

8.08. NEPOTISM.

A. No faculty member may participate, formally or informally, in the decision to hire, retain, grant tenure to, promote or determine the salary of a member of his or her immediate family.

B. No faculty member may, in the supervision or management of another unclassified staff member who is a member of his or her immediate family, give preferential or favored treatment.

8.09. RESEARCH PROTECTION OF STUDENTS AND OTHER RESEARCH WORKERS.

A faculty member shall inform students and other research workers engaged in research under his or her supervision of any financial interest which the faculty member has in the research activity, including, but not limited to, financial arrangements involved in the direct support of the activity, agreements made by the faculty member to obtain data for the research, or agreements concerning copyright or patent rights arising from the research.

8.10. OUTSIDE ACTIVITIES REPORTS. (See UWS 8.025.)

A. The following outside activities must be reported to a faculty member's departmental executive committee and dean, director or other appropriate administrator:

1. Associations with organizations (other than professional societies) related to the faculty member's fields of academic interest or specialization.
2. Private remunerative relationships between faculty members and nongovernmental sponsors of university research for which the faculty member is a principal investigator.
3. Remunerative outside activities in a faculty member's field of academic interest or specialization, including but not limited to consulting, and whether the faculty member earns for such activities \$5,000 or more in a year from a single source.

B. Each faculty member engaging in reportable outside activities shall annually, on or before April 30, file a report of outside activities with his or her department and dean, director or other appropriate administrator.

C. If, during the year, significant changes in a faculty member's reportable outside activities occur, the staff member shall immediately inform, in writing, his or her department and dean, director or other appropriate administrator.

8.11. INSTITUTIONAL ADVISORY COMMITTEE ON CONFLICTS OF INTEREST.

The committee can be consulted in advance by any member of the unclassified staff or of the administration on the application of UWS Chapter 8.

8.12. SERVICE WITH AGENCIES GRANTING MONEY.

Any faculty member who is asked to serve as adviser or consultant, or in any other capacity, with a public or private agency that grants money or decides policy for grants, shall ascertain if his/her participation will adversely affect the university's eligibility for funds from the agency involved and shall report this information to the chancellor through the dean.

8.13. SERVICE AS AN EXPERT WITNESS.

Any faculty member who intends to serve as an expert witness in any civil or criminal case shall promptly report the nature of the case to his/her dean, who shall transmit the information to the chancellor.

8.14. RECORDS.

Departmental, committee, and other records may not be destroyed without the permission of the archivist.

8.15. GRIEVANCES OF FACULTY MEMBERS. (See UWS 6.02.)

- A. A faculty member who believes that his/her rights have been violated or that he/she has been dealt with unfairly should first seek a mutually satisfactory resolution of the problem at the departmental level and then at the school or college level, unless the problem initially arises at a higher level.
- B. If a mutually satisfactory resolution cannot be found, the faculty member may bring the matter to the attention of the University Committee.
 - 1. The University Committee may use whatever means and procedures it considers most likely to be effective in dealing with the matter consistent with UWS 6.02.
 - 2. The University Committee will report to all parties concerned.