

Code of Faculty Ethics for the Faculty of Western Washington University (1993)

Preface

Membership in the academic community and in the faculty of Western Washington University imposes upon faculty a range of obligations beyond that currently accepted by the members of the wider society. These obligations, which ensue from the faculty member's commitment to learning and to the role of teacher, including obligations to respect the dignity of others; to acknowledge the right of others to express differing opinions; to foster learning; to defend intellectual honesty, freedom of inquiry, learning and teaching; and to support freedom of expression on and off the campus. An obligation to protest injustices and seek correction of inequities carries with it the corollary responsibility to do so in ways which do not intentionally, persistently, or significantly impede the functions of the institution.

A professional faculty, as guardian of academic values, serves as the instrument of disciplinary action against unjustified assaults upon those values by its own members. The traditional faculty role of limiting participation in disciplinary action to assurance of academic due process is inadequate to protect the conditions enumerated in the 1940 AAUP Statement on Academic Freedom. This function must be preserved but must also be strengthened by faculty assumption of responsibilities in adopting, practicing and promoting adherence to those principles of conduct essential to academic endeavor.

In recognition of this responsibility, the faculty of Western Washington University have adopted this Code of Ethics as a guide for present and future members of the University faculty.

Section 1

Western faculty members, guided by a deep conviction of the worth and dignity of their role in the advancement and dissemination of knowledge, recognize the special responsibilities placed upon them as scholars. Their primary responsibility to their respective subjects is to seek and to state the truth as they, in consequence of their academic competence, perceive it. To this end faculty energies are

devoted to developing and improving their scholarly competence. They accept the obligation to exercise self-discipline and judgment in using, extending and transmitting knowledge. They practice intellectual honesty. When subsidiary interests are followed, they must insure that these interests do not seriously compromise freedom of inquiry nor the fulfillment of academic responsibilities.

Section 2

As teachers, the Western faculty encourage the free pursuit of learning by students, and demonstrate by example the best scholarly standards of their respective disciplines. The faculty respect students as individuals and adhere to their designated role as intellectual guides and counselors, make every effort to foster honest academic conduct and to assure that evaluations of students reflect their actual performance. The faculty avoid and condemn sexual harassment, intimidation, and the exploitation of students. The confidential nature of the relationship between professor and student is respected, and any exploitation of students for private advantage is avoided by the faculty member who acknowledges significant assistance from them. Faculty strive to help students develop high standards of academic competency and respect for academic freedom.

Section 3

A teacher's mastery of his/her subject and scholarship entitles the teacher to a classroom and to freedom in the presentation of a subject. Faculty thus avoid injecting into classes material which has no relation to the subject and conscientiously develop the content of a course as announced to students and as approved by the faculty in their collective responsibility for the curriculum.

Section 4

As a colleague, the Western faculty member has special obligations that derive from membership in the community of scholars. These include respect for, and defense of, the free inquiry of associates and, in the exchange of criticism and ideas, the respect for the opinions of others. Faculty members acknowledge the contributions of their colleagues and strive to be fair in their professional judgment of colleagues. Each accepts his/her share of faculty responsibilities for the governance of this institution.

Section 5

As a member of this institution, each Western faculty member seeks above all to be an effective teacher and scholar. Although all regulations of the institution that do not contravene academic freedom are observed by the faculty, the right to criticize the institution is determined by the faculty member with due regard to the paramount responsibilities within it. When considering the interruption or termination of service, the faculty member recognizes the effect of such decisions upon the program of the institution and gives due notice of such intentions.

Section 6

As a member of a larger community, the Western faculty member maintains the same rights and obligations as does any other citizen. The urgency of these obligations is measured in the light of responsibilities to the discipline, to the students, to the profession, and to the institution. When speaking or acting as a private individual, each faculty member avoids creating the impression of speaking or acting for the University. As a citizen engaged in a profession that depends upon freedom for its integrity and welfare, the Western faculty member exercises a special obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Section 7

Conflict of Interest Resulting from Family and/or Intimate Personal Relationships in Employment Situations (See POL U5410.01) (April 2012)

Definition:

“Family Members” shall mean members of the same immediate or extended family, such as spouse, sibling, parent, legal guardian, child.

“Intimate Personal Relationship” shall mean emotional or physical relationship that has sexual or romantic overtones. This definition also includes persons in a co-habitation relationship and any persons engaged in a romantic or sexual relationship.

The university employs and retains the best qualified individuals as members of the faculty, administration, and staff. The protection of the individual as well as of the university, however, requires certain safeguards from potential conflicts of interest.

No faculty member, department chair, academic dean, or other academic administrative officer of Western Washington University, including the President and Provost, shall participate in any decision that directly affects the condition of employment with the university for family members or partners in an intimate personal relationship. These decisions include appointment, evaluation, promotion, retention, discipline, or dismissal.

Whenever a department chairperson, academic dean, or other administrative officer would in the normal course of business participate in a decision prohibited under this section, the Provost/Vice President for Academic Affairs shall delegate the responsibility for such a decision to an appropriate person.

No employee shall review, audit, or administer public funds under the control of another family member or partner in an intimate personal relationship.

When employees discover that their duties will lead to making decisions that directly affect the condition of employment at the university for family members or partners in an intimate personal relationship, they will promptly inform their immediate supervisors (i.e., chair, director, dean, etc.) and request that those duties be assigned to different employees.

Section 8

Consensual Intimate Personal Relationships between Faculty and Students *(April 2012)*

Definitions:

“Intimate personal relationship” shall mean emotional or physical relationship that has sexual or romantic overtones.

“Faculty” shall mean all those who hold tenure-track, tenured, and non-tenure track faculty appointments.

“Students” shall mean students in a faculty member’s class, a student employee under a faculty’s supervision such as graduate teaching or research assistant or a student who was or may be mentored, advised or evaluated in any way by a faculty member.

Intimate personal relationships between faculty members and students currently in the faculty member’s class or under that individual’s supervision are prohibited and considered a violation of the Code of Ethics, since the faculty member has professional responsibility for the student. (See Section 7 of this Code regarding “Conflict of Interest Resulting from Family Relationships.)

Intimate personal relationships between faculty members and students occurring outside the instructional and supervisory context may also lead to difficulties, particularly when the faculty member and student are in the same academic unit or in units that are academically allied. In such situations, the faculty member may face serious conflicts of interest and should be careful to maintain distance from any decisions that may reward or penalize the student involved. A faculty member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member has or had an intimate personal relationship is considered to be in violation of the Code of Ethics.

The university’s educational mission is promoted by professionalism in faculty-student and supervisor-subordinate (e.g., faculty and teaching or graduate assistant; advisor and student) relationships which are maintained by an atmosphere of mutual trust and respect. Actions that negatively impact this atmosphere undermine professionalism and the fulfillment of the university’s educational mission. Intimate personal relationships between faculty members and currently enrolled students are unwise because of the trust accorded to the faculty by their students. Faculty and supervisors have power over students through grading, evaluating creative and scholarly endeavors, making recommendations for further studies or future employment, or conferring any other benefits. Intimate personal relationships between faculty and students or supervisors and students create the risk of real or perceived favoritism toward the student in the personal relationship and potential harm to this and other students. When a power disparity exists in the academic or employment association of the individuals in the intimate personal relationship, the academic or employment interests of the student must be protected.

Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. Those who abuse or appear to abuse their power violate their duty to the university community. Such situations greatly increase the chances that faculty may abuse their power and emotionally or sexually exploit the student. Voluntary consent by the student in such relationship is legally questionable, given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on continuing the intimate personal relationship.

Individuals should be aware that consensual personal relationships that are intimate (emotionally or physically) or romantic or sexual in nature, may result in claims of sexual harassment (See POL-U1600.04) because the voluntariness of the consent is legally questionable due to the power differential that exists between faculty and students and supervisors and students. This differential makes such relationships vulnerable to exploitation and to claims of exploitation. If a sexual harassment claim subsequently is filed by a student in an intimate personal relationship with his/her faculty member or supervisor, this matter will be subjected to investigation regardless of whether it could be at any point characterized as a consensual relationship.

Section 9

It is presumed that members of the Western faculty will find this Code of Ethics an adequate guide for the choices they must make in the fulfillment of their academic functions. If rules are needed to implement the principles inherent in this Code, they shall be developed by the faculty within the spirit of the Code, shall be in accordance with the 1940 AAUP Statement on Academic Freedom, and shall carry full provision for due process.

[Adopted by the Faculty Senate 5/3/93 and faculty referendum 5/14/93; approved by the Board of Trustees 7/8/93] [Sections 7 and 8 revised and approved by the Board in April 2012]