

Summary of Changes to the Code of Academic Ethics

The proposed changes to the Code of Academic Ethics are necessary to align with the recent revisions to the [Code of Student Rights, Responsibilities and Conduct \(“Student Code”\)](#) that were approved by the UFC Executive Committee on September 22, 2015, as well as the Sexual Misconduct Policy that was approved by the University Faculty Council on February 24, 2015, and the Board of Trustees on March 1, 2015.

The changes can be seen in the following pages in a tracked changes format. Generally, changes include references to the Sexual Misconduct Policy where needed, as well as reflecting the already approved changes to Part II, Section H. of the Student Code.

Code of Academic Ethics ACA-33

Scope

The provisions of this Code apply to persons whose service to the University includes teaching, scholarship, librarianship, and academic administration. Such persons are referred to in the Code as “Academic Personnel.” References in the Code to “Faculty” include tenured members of the faculty, librarians, and persons whose service to the University may lead to tenure.

Policy Statement

PREAMBLE

The central functions of an academic community are learning, teaching, and scholarship. They must be characterized by reasoned discourse, intellectual honesty, mutual respect, and openness to constructive change. By accepting membership in this community, an individual neither surrenders rights nor escapes fundamental responsibilities as a citizen, but acquires additional rights as well as responsibilities to the entire University community. They do not require the individual to be passive and silent. They do require recognition of how easily an academic community can be violated.

INTRODUCTION

Organization. This Code contains two major sections: first, a statement of rights and responsibilities; and second, a statement of enforcement procedures. The first section is divided into three subsections. Of these, the first subsection, in seven parts, is a general statement of the rights and responsibilities of Academic Personnel adapted from the “Statement of Professional Ethics” adopted as policy by the American Association of University Professors in April 1966. The second subsection consists of representative responsibilities assumed with academic employment at Indiana University. The third subsection consists of the rules of conduct outlined in the prevailing [Code of Student Rights, Responsibilities, and Conduct](#). It is assumed that academic personnel will accept without reservation those rules of conduct which are generally applicable within the University community and which are expressed at the moment within the student code.

The second section is also divided into three subsections. The first subsection deals with initiation of complaints, the second with appropriate administrative actions, and the third with reviews of administrative action.

A. RIGHTS AND RESPONSIBILITIES

a. General Statements

Scholarship. A scholar recognizes a primary responsibility to seek and to state the truth without bias. Striving to improve scholarly competence, continuing always to keep abreast of knowledge of his or her discipline, the scholar exercises critical self-discipline and judgment in using, extending, and transmitting knowledge, and

practices intellectual honesty. Although subsidiary interests may be followed, these must never seriously hamper or compromise freedom of inquiry.

Teaching. A teacher encourages the pursuit of learning in students, holding before them the best scholarly standards of the discipline. Respecting students as individuals, the teacher seeks to establish a relationship of mutual trust and adheres to the proper role as intellectual guide and counselor. The teacher makes every effort to foster honest academic conduct and to assure that the evaluation of students' scholastic performance reflects their true achievement, with reference to criteria appropriate to the field of study. Any exploitation of students for private advantage is rejected and their significant assistance is acknowledged. The teacher protects their academic freedom and serves as an example of this principle by assuring that each student and colleague is free to voice opinions openly and to exchange ideas free from interference.

Librarianship. A librarian in the academic community is responsible for the collection, dissemination and preservation of information and source materials and for services in support of the teaching, research and general learning functions of the University. A librarian instructs and assists in finding and evaluating information, wherever it may be located. A librarian is entrusted with the responsibility of ensuring the availability of information and ideas, no matter how controversial, so that teachers may freely teach and students may freely learn. A librarian is a member of a profession explicitly committed to intellectual freedom and the freedom of access to information for present and future generations, following the Code of Ethics of the American Library Association and its Library Bill of Rights.

Relations with Colleagues. As colleagues, academic personnel have obligations that derive from common membership in the community of scholars. Such persons respect and defend the free inquiry of their associates. In the exchange of criticism and ideas, they show due respect for the opinions of others. They acknowledge their academic debts and strive to be objective in their professional judgment of colleagues. They accept their share of responsibility for the governance of the University.

Relations with Students. With regard to relations with students, the term "faculty" or "faculty member" means all those who teach and/or do research at the University including (but not limited to) tenured and tenure-track faculty, librarians, holders of research, lecturer, or clinical appointments, graduate students with teaching responsibilities, visiting and part-time faculty, and other instructional personnel including coaches, advisors, and counselors.

The University's educational mission is promoted by professionalism in faculty/student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's

educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. Those who abuse their power in such a context violate their duty to the University community.

Faculty members exercise power over students, whether in giving them praise or criticism, evaluating them, making recommendations for their further studies or their future employment, or conferring any other benefits on them. All amorous or sexual relationships between faculty members and students are unacceptable when the faculty member has any professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamental 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 amorous or sexual favors. ([See quid pro quo sexual harassment in the Sexual Misconduct Policy, UA-03, definition of sexual harassment](#)). Therefore, the University will view it as a violation of this Code of Academic Ethics if faculty members engage in amorous or sexual relations with students for whom they have professional responsibility, as defined in number 1 or 2 below, even when both parties have consented or appear to have consented to the relationship. Such professional responsibility encompasses both instructional and non-instructional contexts.

1. Relationships in the Instructional Context. A faculty member shall not have an amorous or sexual relationship, consensual or otherwise, with a student who is enrolled in a course being taught by the faculty member or whose performance is being supervised or evaluated by the faculty member.
2. Relationships outside the Instructional Context. A faculty member should be careful to distance himself or herself from any decisions that may reward or penalize a student with whom he or she has or has had an amorous or sexual relationship, even outside the instructional context, especially when the faculty member and student are in the same academic unit or in units that are allied academically.

Relation to the University. Indiana University is committed to the concept of academic freedom and recognizes that such freedom, accompanied by responsibility, attaches to all aspects of a teacher's or librarian's professional conduct. Within this context, each person observes the regulations of the University, and maintains the right to criticize and to seek revision and reform. A teacher or librarian determines the amount and character of work done outside the University with due regard to paramount responsibilities within it. When considering interruption or termination of service, the teacher or librarian recognizes the effect of the decision upon the program of the University and gives

due notice. Above all, he or she strives to be an effective teacher, scholar, librarian, or administrator.

Relation to the Community. As members of the community, academic appointees have the rights and obligations of any citizen. They should measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to the University. When they speak or write as citizens, they are free from institutional censorship or discipline. At the same time, their positions as members of a university and of a learned profession impose special responsibilities. When they speak or act as private persons, they will make it clear that they are not speaking or acting for the University. They will also remember that the public may judge their profession and the University by their utterances and conduct, and they will take pains to be accurate and to exercise restraint.

b. Specific Responsibilities

In addition to the preceding general statements of ethical performance within the academic profession, [and Indiana University's Principles of Ethical Conduct](#), there are specific responsibilities that devolve upon the academic appointee who accepts a position at Indiana University. Observance of such specific responsibilities as the following is also a component of academic ethics.

1. A teacher will maintain a clear connection between the advance description and the conduct and content of each course presented to ensure efficient subject selection by students.
2. A teacher will clearly state the course goals and will inform students of testing and grading systems; moreover, these systems should be intellectually justifiable and consistent with the rules and regulations of the academic division.
3. A teacher will plan and regulate class time with an awareness of its value for every student and will meet classes regularly.
4. A teacher will remain available to students and will announce and keep liberal office hours at hours convenient to students.
5. A teacher will strive to develop among students respect for others and their opinions by demonstrating his or her own respect for each student as an individual, regardless of [age, color, disability, ethnicity, sex, gender identity, marital status, national origin, race, religion, sexual orientation, or veteran status](#).~~race, sex, national origin, religion, age, or physical handicap.~~
6. A teacher will strive to generate a proper respect for an understanding of academic freedom by students. At the same time, a teacher will emphasize high standards and strive to protect students from irrelevant and trivial interruptions or diversions.

7. Since letters of evaluation written by a teacher may be uniquely important documents in both the academic and post-university life of a student, each teacher will strive to make such letters both candid and fair.
8. A librarian will continually develop, maintain, and make improvements to standard and specialized information resources and library services in support of the teaching, research and general learning functions of the University.
9. A librarian will cooperate with the teaching and research faculty to develop library collections in support of the curricular offerings of the academic community.
10. A librarian will strive to generate a proper respect for academic intellectual freedom in the discharge of the librarian's professional obligations to the patron, the University, and the community at large.
11. A librarian will strive to care for and preserve library information resources.
12. A librarian accepts the responsibility for the care and preservation of library materials.
13. Academic personnel will strive to protect not only their own right to freedom of inquiry, teaching, and expression but also their colleagues' right to the same freedoms.
14. In the interest of avoiding actual or perceived conflict of interest, academic personnel should not directly supervise employees with whom they are having sexual or amorous relationships. Academic supervisors shall disqualify themselves from employment-related decisions concerning such employees and, in consultation with the employee involved and other appropriate persons, the Vice Provost for Faculty and Academic Affairs/Vice Chancellor for Academic Affairs or other equivalent campus administrator shall take steps for the appointment of a surrogate supervisor.
15. While in the classroom, academic personnel should refrain from adverse personal comments about their colleagues. At all times, academic personnel should exercise restraint and discretion in comments about other courses or divisions in the University.
16. Constructive criticism of colleagues is sometimes necessary in the interest of the individual criticized or the entire University community. To be constructive, however, such criticism should be channeled, in confidence, toward those persons (preferably the individual concerned, but also academic superiors, faculty committees, or administrative officers) who have the power to correct or influence conduct in a constructive way. Indiscriminate criticism or gossip about colleagues is condemned.
17. Each academic person retains the right to criticize and to seek to remedy, by appropriate means, regulations and policies of the University. Among means deemed inappropriate are: acts of physical violence against members or guests of the University community; acts which interfere with academic freedom, freedom of speech, or freedom of movement; and acts

of destruction of University property. It is equally inappropriate to advise others to commit such acts.

18. If criticizing the University, the academic person should be aware of ameliorative procedures that exist within the University and should use these procedures in preference to conducting public criticisms of the institutions or any of its divisions.
19. Each academic person will insure that outside commitments do not interfere in terms of time, energy, or conflict of interest with obligations to the University. As a safeguard against such interference, each will:
 - a. report to an appropriate authority plans to engage in gainful activities of an extensive, recurring, or continuing nature; and
 - b. notify an appropriate authority of any invitation to serve as advisor or consultant to an agency granting money to the University.
20. He or she will give adequate notice of interruption or termination of service. In order that instructional programs will not be interrupted, before leaving, the academic person will:
 - a. complete all normal duties;
 - b. provide complete records of grades and similar data to departmental chairpersons; and
 - c. provide properly for incomplete class and thesis work.
21. He or she will work with colleagues individually and collectively toward furthering both personal and group interests so long as such cooperation does not require violation of intellectual and moral integrity.
22. Each academic person will accept a share of the obligation for helping the University function smoothly as a living and vigorous organization. Toward achieving this goal, each will serve on committees, accept a reasonable burden of administrative duties, and work cooperatively with administrative officers of the University in order to further all the legitimate goals of the institution.

c. **Responsibilities as University Citizens**

In retaining the rights to speak and act as citizens of the communities in which they dwell, academic personnel must assume as well the responsibilities which are incumbent upon the citizenship. Academic personnel, therefore, accept and adopt the provisions of the Indiana University Code of Student Rights, Responsibilities, and Conduct pertaining to personal misconduct on University property ([Part II, Section H](#)), which is printed below.

Personal Misconduct on University Property

The university may discipline a student for the following **acts of personal misconduct ~~which~~ that occur on university property**, including, but not limited to, academic and administration buildings, residence halls, athletic and recreational facilities, and other university--serviced property, such as sororities and fraternities:

1. Dishonest conduct including, but not limited to, false accusation of misconduct, forgery, alteration or misuse of any university document, record or identification; and giving to a university official information known to be false.
2. Assuming another person's identity or role through deception or without proper authorization. Communicating or acting under the guise, name, identification, e-mail address, signature, or other indications of another person or group without proper authorization or authority.
3. Knowingly initiating, transmitting, filing, or circulating a false report or warning concerning an impending bombing, fire, or other emergency or catastrophe; or transmitting such a report to an official or an official agency.
4. Unauthorized release or use of any university access codes for computer systems, duplicating systems and other university equipment.
5. Conduct that is lewd, indecent, or obscene- and/or is in violation of the Sexual Misconduct Policy, UA-03.
6. Disorderly conduct, including obstructive and disruptive behavior that interferes with teaching, research, administration or other university or university-authorized activity. (See Guidelines for Dealing with Disruptive Students in Academic Settings, University Faculty Council, April 12, 2005)
7. Actions that endanger one's self, others in the university community, or the academic process.
8. Failure to comply with the directions of authorized university officials in the performance of their duties, including failure to identify oneself when requested to do so; failure to comply with the terms of a disciplinary sanction; or refusal to vacate a university facility when directed to do so.
9. Unauthorized entry, use, or occupancy of university facilities.
10. Unauthorized taking, possession or use of university property or services or the property or services of others.
11. Damage to or destruction of university property or the property belonging to others.
12. Unauthorized setting of fires on university property; unauthorized use of or interference with fire equipment and emergency personnel.
13. Unauthorized possession, use, manufacture, distribution, or sale of illegal fireworks, incendiary devices, or other dangerous explosives.
14. Possession of any weapon or potential weapon on any university property contrary to law or university policy; possession or display of any firearm on university property, except in the course of an authorized activity.
15. Sale of any firearms from university property or using university facilities, including through computer and telephone accounts; intentional possession of a dangerous article or substance as a potential weapon.
16. Acting with violence.
17. Aiding, encouraging, or participating in a riot.
18. Harassment, including sexual harassment, as defined in Part I (c) of the Code, as follows:

~~“Sexual harassment is defined as unwelcome sexual advances, including requests for sexual favors and other unwelcome conduct of a sexual nature, when submission to such conduct is made, either explicitly or implicitly, a term or condition of a student’s education, or submission to or rejection of such conduct by a student is used as the basis for academic conditions affecting the student; or the conduct has the effect of unreasonably interfering with an individual’s academic performance or creating an intimidating, hostile, or offensive learning environment.~~

~~Discriminatory harassment is defined as conduct that targets an individual based upon age, color, religion, disability, race, ethnicity, national origin, sex or gender, sexual orientation, marital status, or veteran’s status and that: adversely affects a term or condition of an individual’s education, housing, or participation in a university activity; or has the purpose or effect of unreasonably creating an intimidating, hostile, or offensive environment for academic pursuits, housing, or participation in university activities.”~~

19. Stalking or hazing of any kind whether the behavior is carried out verbally, physically, electronically or in written form.
 - a. ~~Stalking, as defined in the Sexual Misconduct Policy, a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity. is defined as repeated, unwanted contact in the forms of including, but not limited to, phone calls, e-mail, physical presence, and regular mail.~~
 - b. Hazing is defined as any conduct that subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, degrade, or intimidate the person as a condition of association with a group or organization, regardless of the person’s consent or lack of consent.
20. Physical abuse of any person, including the following:
 - a. The use of physical force or violence to restrict the freedom of action or movement of another person or to endanger the health or safety of another person;
 - b. Physical behavior that involves an express or implied threat to interfere with an individual’s personal safety, academic efforts, employment, or participation in university-sponsored extracurricular activities or causes the person to have a reasonable apprehension that such harm is about to occur; or
 - c. Physical behavior that has the purpose or reasonably foreseeable effect of interfering with an individual’s personal safety, academic efforts, employment, or participation in university-sponsored

extracurricular activities or causes the person to have a reasonable apprehension that such harm is about to occur;:-

d. Sexual assault, including the following: while any party involved is in an impaired state;

~~e. Sexual contact with another person without consent, including while any party involved is in an impaired state.~~

1. When an individual subject another person to sexual penetration (as defined in the Sexual Misconduct Policy, UA-03) (i) without the consent of the person, (ii) when the individual knew or should have known that the other person was mentally or physically incapable of resisting or appreciating the nature of the other person's own conduct, (iii) or when the other person is less than sixteen years of age; or

2. When an individual touches another person for the purpose of sexual arousal or gratification of either party (i) without consent of the person, or (ii) when the actor knew or should have known that the person was physically or mentally incapable of resisting or appraising the nature of the person's own conduct, (iii) or when the person is less than sixteen years of age.

e. Physical abuse that constitutes dating or domestic violence as defined in the Sexual Misconduct Policy, UA-03.

21. Verbal abuse of another person, including the following:

a. An express or implied threat to

1. Interfere with an individual's personal safety, academic efforts, employment, or participation in university-sponsored activities and under the circumstances causes the person to have a reasonable apprehension that such harm is about to occur; or

2. Injure that person, or damage his or her property; or

b. "Fighting words" that are spoken face-to-face as a personal insult to the listener or listeners in personally abusive language inherently likely to provoke a violent reaction by the listener or listeners to the speaker.

~~b.c.~~ Verbal abuse that constitutes dating or domestic violence as defined in the Sexual Misconduct Policy, UA-03.

22. Unauthorized possession, use, or supplying alcoholic beverages to others contrary to law or university policy.

a. Indiana University prohibits:

1. Public intoxication, use or possession of alcoholic beverages on university property (including any undergraduate residence supervised by the university, including fraternity and sorority houses) except as otherwise noted in Part II, Section H (22) b, and Part II, Section H(22) c.

2. Providing alcohol contrary to law.
- b. The ~~d~~Dean of ~~s~~Students, or equivalent role on ~~of~~ each campus has discretion to allow exceptions to Part II, Section H (22) a, allowing use or possession of alcohol by persons, including students, who meet the minimum drinking age standards of the State of Indiana, under the following circumstances:
 1. Use or possession of alcoholic beverages by persons who are of lawful drinking age may be generally permitted in residences supervised by the university, including fraternity and sorority houses, when specifically approved by the campus ~~d~~Dean of ~~s~~Students. Such use or possession may be allowed in residence rooms, apartments, and certain common areas as specifically approved by the ~~d~~Dean of ~~s~~Students. However, use or possession under this section shall be permitted only in residences supervised by a live-in employee specifically charged with policy enforcement.
 2. Use or possession of alcoholic beverages may be permitted on an event-by-event basis in designated undergraduate residences (including fraternity and sorority houses) supervised by a live-in employee specifically charged with policy enforcement, when temporary permission is granted by the ~~d~~Dean of ~~s~~Students for events at which persons of lawful drinking age may lawfully possess and use alcoholic beverages.
 - c. The ~~c~~Chancellor/Provost ~~provost~~ of each campus has discretion to allow exceptions to Part II, Section H (22) a, allowing use or possession of alcohol by persons, including students, who meet the minimum drinking age standards of the State of Indiana, under the following circumstances:
 1. Use or possession of alcoholic beverages may be permitted in facilities such as student unions or on-campus hotels, including guest rooms and other areas, specifically approved by the campus ~~c~~Chancellor/Provost ~~provost~~.
 2. Use or possession of alcoholic beverages may be permitted in other areas, such as private offices and faculty lounges, not accessible to the public.
 3. Use or possession of alcoholic beverages may be permitted in areas accessible to the public, if specifically approved by the campus ~~c~~Chancellor/pProvost.
 - d. Indiana University also permits the non-conspicuous possession of alcoholic beverages on university property when in transit to areas where they may be possessed or used under the provisions above.
 - e. Student organizations that serve or permit possession of alcoholic beverages at student organization functions, on or off campus, may be disciplined if violations of alcoholic beverage laws or of

university regulations occur. Individual students who plan, sponsor, or direct such functions also may be subject to discipline.

- f. The ~~c~~Chancellor/~~Provost~~-provost or ~~d~~Dean of ~~s~~Students may make rules covering these uses. Those rules shall be enforceable as provisions of this ~~C~~code.

23. Unauthorized possession, manufacture, sale, distribution or use of illegal drugs, any controlled substance, or drug paraphernalia. Being under the influence of illegal drugs or unauthorized controlled substances.
24. Intentionally obstructing or blocking access to university facilities, property, or programs.
25. Violation of other disseminated university regulations, policies, or rules. Examples of such regulations include but are not limited to university computing policies, residence hall policies, and recreational sports facility policies.
26. A violation of any Indiana or federal criminal law.
- ~~27.~~ Engaging in or encouraging retaliation or any behavior or activity that threatens or intimidates any potential participant in a judicial process, and/or that is in violation of the Sexual Misconduct Policy, UA-03.
- ~~27-28.~~ Engaging in conduct in violation of the Sexual Misconduct Policy (UA-03) not otherwise covered in H1 through H27 of this section.

B. ENFORCEMENT PROCEDURES

The procedures, definitions, and sanctions herein do not apply to cases involving sexual misconduct, including sexual harassment. Complaints of sexual misconduct, as well as disciplinary procedures, are governed by the University-wide Sexual Misconduct Policy (UA-03).

a. Initiation of Complaints

Any concerned person may initiate complaints about alleged violations of the Code of Academic Ethics. Such complaints should be brought to the attention of an appropriate chairperson or dean, or to the appropriate Vice Provost for Faculty and Academic Affairs/Vice Chancellor for Academic Affairs or his or her deputy; the Vice Provost for Faculty and Academic Affairs/Vice Chancellor for Academic Affairs shall provide for confidential representations regarding such violations. Charges of discriminatory practice may be referred also to the appropriate Affirmative Action Officer. Allegations of sexual misconduct should be reported to the University Title IX Coordinator or the appropriate campus Deputy Title IX Coordinator.

b. Administrative Action on Violations of Academic Ethics

The line of administrative action in cases of alleged violation of academic ethics shall be the chairperson; the academic dean; the appropriate Vice Provost for Faculty and Academic Affairs/Vice Chancellor for Academic Affairs; the

appropriate Chancellor/Provost; a Vice President, where appropriate; and the President. Subject to the substantive standards of University tenure policy and the procedural safeguards of the faculty institutions, sanctions appropriate to the offense should be applied by the academic administrators. Possible sanctions include the following: reprimand, consideration in establishing annual salary, consideration in promotion decisions, consideration in tenure decisions, retention of salary, termination of employment, and immediate dismissal.

c. Review of Administrative Action

Academic appointees affected by administrative action taken against them on grounds of violation of the Code of Ethics, whether or not the action resulted from proceedings provided in this Code, shall have such rights as are provided by the rules governing appeals to the Faculty Board of Review (or to the Associate Instructor Board of Review) of the appropriate campus. Appointees also have the rights of hearing and appeal provided by any other procedure of the University for the review of administrative action.

(University Faculty Council, November 3, 1970; Board of Trustees, December 19, 1970; University Faculty Council, November 30, 1976; February 11, 1986; February 11, 1992; October 3, 1996; April 27, 2004; April 12, 2005; April 28, 2009; Board of Trustees, December 13, 1996; June 24, 2005; June 12, 2009)

[Note: Some of these dates refer to changes in the [Code of Student Rights, Responsibilities, and Conduct.](#)]