**To:**   Committee on Faculty Affairs

**From:** Steering Committee

**Re:**   Professional Behavior Policy

**Date:**   February 22, 2011

**Background:**

During the fall 2010 semester, Steering received memos from Provost Bresnahan and Vice President Pogue (attached).  In her memo, Provost Bresnahan asks for the development and recommendation of “a policy (or policies) and procedures for handling allegations of faculty academic misconduct”. The memo from Vice President Pogue and Provost Bresnahan asks that an appropriate committee “review the issue of bullying, intimidation, and incivility among faculty and staff and recommend a program of education so that faculty/staff are aware of the problem, its definition, ways to avoid it, and how to proceed if they believe it has occurred, with an overall goal of building a climate of civility at TCNJ.”

Taken in total, these two memos give examples of three types of professional misbehavior:

* 1. Interpersonal (intimidation, harassment)
	2. Professional obligations to the institution (not fulfilling responsibilities, insuborbination)
	3. Professional obligations to academe (plagiarism, mistreatment of subjects)

Currently, we have a policy entitled *Statement on Ethics for Employees of The College of New Jersey,*available at <http://www.tcnj.edu/~academic/policy/statementonethics.pdf>, which went through the Quality of Campus Life Committee (1998) which was part of the previous system of college governance. This policy refers to many of the types of behaviors described above, although it does not specifically address some aspects that were brought up in the attached memos, such as bullying. Additionally, it does not make reference to several documents describing policies and procedures that are being used on campus (e.g. Manual of Policy and Procedures for Responding to Allegations of Scientific Misconduct and those developed by IACUC and IRB; the college’s online policy manual; and statewide employee contracts). We note also that this document is poorly titled as it is not actually concerned with ethics in the same sense used recently by the state.

**Charge:**

The Steering Committee asks the Committee on Faculty Affairs to update and re-name the *Statement on Ethics for Employees of The College of New Jersey* with an eye to:

1. Define its relationship to other policies, contracts, etc.
2. Determine whether policies made by other entities (IRB, IACUC, OGSR, etc.) are appropriate to handle the situations in their purview.
3. Ensure that the updated policy addresses foreseeable conduct and situations including those beyond the scientific.
4. Ensure that procedures for dealing with alleged violations are clear and consistent.

We ask that CFA work with The Committee on Student and Campus Community on those parts of the policy that are not particular to faculty work. In gathering initial testimony, it is recommended that CFA reach out to Angela Sgroi of The Office of Academic Grants and Sponsored Research and the chairs of IRB and IACUC. Because this policy pertains to conditions of employment, CFA should work, where appropriate with the unions.

**Timeline:**

The Steering Committee requests that CFA complete this charge by December 2011.

**TCNJ Governance Processes**

**Step #1 -- Identifying and reporting the problem:**When a Standing Committee receives an issue from the Steering Committee, the first responsibility is to clearly articulate and report the problem to the campus community through regular updates to the campus community and the Governance Web Page ([www.tcnj.edu/~steering](http://www.tcnj.edu/~steering) ).  The problem may have been set out clearly in the charge received from the Steering Committee, or it may be necessary for the Standing Committee to frame a problem statement.  The problem statement should indicate the difficulties or uncertainties that need to be addressed through new or revised policy, procedure, or program.  The problem statement should be broadly stated and should include a context such as existing policy or practice.  Problem statements may include solution parameters but should not suggest any actual solutions.  Clearly stated problems will lead to better recommendations.

**Step #2 -- Preparing a preliminary recommendation:**Once the campus community has received the problem statement, committees can begin to collect data needed to make a recommendation.  Committees typically receive input through committee membership, formal testimony, and open comment from affected individuals and all stakeholder groups.  Committees must be proactive in inviting stakeholder groups (including Student Government Association, Staff Senate and Faculty Senate) to provide formal testimony prior to developing a preliminary recommendation.  When, in the best judgment of the committee, adequate clarity of the principles contributing to the problem are known, a preliminary recommendation should be drafted and disseminated to the campus community through regular updates and the Governance Web Page.

**Step #3 -- Making a Final Recommendation:**Committees must use sound judgment to give the campus adequate time to review the preliminary recommendation before making their final recommendation.  Again, committees are expected to be proactive in receiving feedback on the preliminary recommendation.  If a full calendar year has passed since the formal announcement of the preliminary recommendation, the committee must resubmit a preliminary recommendation to the campus community.  When, in the best judgment of the committee, the campus community has responded to the proposed resolution of the issue, the committee shall send their final recommendation (complete documentation) to the Steering Committee.

**Testimony**

The presenting of testimony is central to the concept of shared governance.  All stakeholder groups will have an opportunity to provide input into governance issues through direct membership as well as invited testimony.  Individuals appointed or elected to the governance system are expected to take a broad institutional perspective relative to issues being considered.  In contrast, invited testimony will reflect the stakeholder perspective on the issue being considered.  Committees are expected to be proactive in inviting stakeholder groups to provide testimony at both step # 2 and #3 of the process.  Committees need to identify stakeholder groups that are interested in each particular issue and invite their testimony at scheduled Committee meetings or hearings.  Committees should report in their minutes which groups were targeted as stakeholders, how testimony was invited, the form of the testimony (written, oral, etc.), and the substantive content of the testimony.