

## **Faculty Code of Conduct**

University of Texas at Tyler Department of Psychology and Counseling  
Voted and Approved by Faculty on 11 November, 2020

The UT Tyler Psychology and Counseling Faculty Code of Ethics and Professional Standards is based on the standards set forth by the American Association of University Professors. It serves to elaborate standards of professional conduct derived from general professional consensus about the existence of certain principles as basic to acceptable faculty behavior. Conduct which departs from these principles is viewed by faculty as unacceptable because it is inconsistent with the mission of the University, College and Department, and with the highest standards of professional conduct which we as a faculty are committed to maintain.

The articulation of types or examples of unacceptable faculty conduct is appropriate both to verify that a consensus about minimally acceptable standards exists and to give fair notice that departures from these standards may give rise to disciplinary proceedings.

It is the intent of this Code to protect academic freedom, to help preserve the highest standards of teaching and scholarship, and to advance the mission of the University as an institution of higher learning. This Code underscores the principle of respect for students, academic colleagues, for individual disciplines, the institution, and the community at large. It also requires that faculty be sensitive to the potential for abuse inherent in any authority relationship, such as the teacher/student relationship, as well as in interactions with support staff and colleagues.

The listing of faculty responsibilities, ethical principles, and specific standards of conduct are organized around the individual faculty member's relation to teaching, to their students, to their colleagues, to their discipline, to the College, and to the larger community. A distinction is made between statements of (1) ethical principles and (2) standards of conduct.

1. Ethical Principles--These are drawn primarily from the Statement on Professional Ethics issued by the American Association of University Professors. They comprise ethical prescriptions affirming the highest professional ideals. They are aspirational in character, and represent objectives toward which faculty members should strive.
2. Standards of Conduct--derived from ethical principles, these are mandatory in character, and state minimum levels of conduct below which a faculty member should not fall.

Although neither category is exhaustive, it encompasses major concerns traditionally and currently important to the profession.

### **Responsibilities to Teaching and Students**

#### **Ethical Principles**

"As teachers, professors encourage the free pursuit of learning of their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom." ([AAUP Statement](#), 1966; Revised, 1987 and 2009)

#### **Ethical Standards of Conduct**

1. To encourage the free pursuit of learning in students.
2. To hold before students the best scholarly, instructional, and ethical standards of the disciplines.

3. To demonstrate respect for students as individuals, and to adhere to one's proper role as intellectual guide and mentor.
4. To make every reasonable effort to foster honest academic conduct and to assure that evaluation of students reflects their true merits.
5. To avoid any exploitation of students for personal advantage and acknowledge significant assistance from them.
6. To protect student academic freedom.
7. To maintain appropriate boundaries (see Relationships with Students below, and Professional Ethics).

### **Types of Unacceptable Conduct**

Failure to meet the responsibilities of instruction, including but not limited to the following:

1. Arbitrary denial of access to instruction;
2. Significant and persistent intrusion of material unrelated to the course or professional development;
3. Significant evidence of a pattern of failing to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled;
4. Not providing the instructional content and/or requiring the normal work load appropriate to a course offering (e.g. an Independent study course) ;
5. Evaluation of student work by criteria not directly reflective of course performance;
6. Undue and unexcused delay in evaluating student work ;
7. Failure to show documentation of grading (including graded exams or papers) upon student's request;
8. Discrimination against a student on political grounds, or for reasons of race, religion, sex, sexual orientation, gender identity, national or ethnic origin, disability, or for other arbitrary or personal reasons; See Handbook of Operating Procedures, Section 2.4.1 at: <https://catalogs.uttyler.edu/en/UTTyler/HOP/Series-200-General-Policies-and-Procedures/2-4-1-Nondiscrimination-Policy-and-Complaint-Procedure>
9. Use of the position of power of a faculty member to coerce the judgment or conscience of a student;
10. Participating in or deliberately abetting disruption, interference, or intimidation in the classroom;
11. Sexual harassment as described in the Handbook of Operating Procedures, Section 2.4.3 at: <https://www.uttyler.edu/academicaffairs/files/243sexualmisconduct.pdf>
12. Unauthorized disclosure of confidential information (protected by FERPA) between faculty member and student (<http://www.uttyler.edu/registrar/ferpa>);
13. Unauthorized or inappropriate use of self-authored textbooks;
14. Failure to publicly acknowledge student contributions to scholarly works commensurate with those contributions;
15. Failure to update instructional materials to reflect current research, practice, and standards of care;
16. Use of assessments not aligned with course content;
17. Deviating from the university calendar of class times or not meeting classes for the full scheduled time period;
18. Having students perform services (e.g. pet sitting, childcare, mechanical, yard work) without adequate compensation and the ability to decline without consequence;
19. Provision of fee-for-service counseling or assessment to students and/or student's immediate family; and
20. Assignment of tasks to students in or outside of the course context which are devoid of educational benefit.

## **Faculty Social Relationships with Students**

### **Ethical Principle**

We recognize that a power differential exists and is inherent between faculty and students and we will make every effort to eliminate real, implied, or perceived biases. We as a faculty agree to engage in relationships that are for the professional benefit of students. We also recognize that inappropriate social relationships between faculty/students, faculty/faculty, and student/student can adversely affect students, faculty and the reputation of the Department, College and University.

### **Ethical Standards of Conduct**

Faculty will model professional and appropriate behavior for students regarding other students and faculty. This includes avoiding gossip, negative comments/criticisms to students or faculty regarding other students or faculty members.

1. Faculty members shall exercise good judgment when hosting social events involving alcohol with students.
2. Faculty shall convey to students that there will be no penalty or repercussions if a student chooses not to engage in or attend departmental social events held on or off campus.
3. Faculty shall recuse themselves from evaluative processes of a student with whom they have a preexisting social relationship (i.e., comps, yearly student evaluations, course work).
4. Faculty shall not engage in social relationships **such as mutually beneficial friendships or romantic relationships** with students over which the faculty member has or will likely have evaluative processes\*\* (i.e., comps, yearly student evaluations, course work). Also, please refer to Handbook of Operating Procedures, Section 2.4.3 for additional guidance.
5. Faculty shall follow the Family Educational Rights and Privacy Act (FERPA, 1974) and thus refrain from sharing student academic records with peer students. The exception is when a student is considered a "school official" (e.g., working as a TA), and is thus not a peer of the student in question. For more information about who is considered a "school official" and what information can be shared under FERPA, visit the University Registrar's FERPA page: <https://www.uttyler.edu/registrar/ferpa/>

\*\*A faculty member should reasonably expect to have in the future academic responsibility (instructional, evaluative, or supervisory) for (1) students whose academic program will require them to enroll in a course taught by the faculty member, (2) students known to the faculty member to have an interest in an academic area within the faculty member's academic expertise, or (3) any student for whom a faculty member must have academic responsibility (instructional, evaluative, or supervisory) in the pursuit of a degree.

### **Responsibilities to the Department**

#### **Ethical Standards of Conduct**

1. Department members accept their equitable share of faculty responsibilities for the governance and functioning of their department.
2. Senior members of the faculty recognize their special responsibilities to the department and to their junior colleagues.
3. Faculty members will demonstrate to the administration's satisfaction that extra employment will not interfere with contractual obligations.

#### **Types of Unacceptable Conduct**

Failure to meet the responsibilities of departmental citizenship, including but not limited to the following:

1. Inflexibility in scheduling committee meetings;

2. Compensated work outside the University without University approval, or for more than the 8 allowed hours a week in non-University employment;
3. Faculty members impeding the scholarship, service, or teaching of faculty members;
4. Persistent unwillingness of senior (tenured) members to take the leadership role in both standing and ad hoc departmental committees.

### **Responsibilities to Scholarship**

#### **Ethical Principles**

“Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.” (AAUP Statement, 1966; Revised, 1987 and 2009).

#### **Ethical Standards of Conduct**

1. Faculty must maintain currency in their academic fields.
2. Faculty shall exhibit intellectual honesty and integrity in all scholarly endeavors.
3. Faculty shall work toward improving the quality of instruction.
4. Faculty should not denigrate other disciplines or undermine the confidence of students in other duly approved programs or academic departments of the college.

#### **Types of Unacceptable Conduct**

1. Violation of canons of intellectual honesty, such as research misconduct and/or intentional misappropriation of the writings, research, and findings of others.

### **Responsibilities to Colleagues**

#### **Ethical Principles**

“As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debts and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.” (AAUP Statement, 1966; Revised, 1987 and 2009).

#### **Types of Unacceptable Conduct**

1. Faculty members do not make derogatory statements about the research, teaching, service, or personal characteristics of other faculty members or about students or staff in public or in front of students and/or faculty. This applies to both written and oral statements. This is distinct from the formal evaluation of a faculty member for purposes of promotion and tenure, annual evaluations, or scholarly debates.
2. Faculty members do not breach established rules governing confidentiality. This applies to personnel procedures, P&T process, and other faculty grievances.
3. Faculty do not solicit or affirm derogatory comments about other faculty from students or from other faculty. When appropriate, faculty will discourage faculty/students from such comments.

### **Responsibilities to the University**

#### **Ethical Principles**

“As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within

their institution in determining the amount and character of the work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions." (AAUP Statement, 1966; Revised, 1987 and 2009).

### **Ethical Standards of Conduct**

1. Faculty treat College support staff with fairness and respect and should not exploit support staff for personal gain or abuse them either verbally or physically.

### **Types of Unacceptable Conduct**

1. Intentional disruption of functions or activities sponsored or authorized by the University.
2. Incitement of others to disobey University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired.
3. Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political, or religious purposes.
4. Forcible detention, threats of physical harm to, or harassment of another member of the University community, that interferes with that person's performance of University activities.
5. Discrimination, including harassment, against University employees on political grounds, or for reasons of race, color, religion, sex, sexual orientation, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), or service in the uniformed services as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994, or, within the limits imposed by law or University regulations, because of age or citizenship, or for other arbitrary or personal reasons. See Handbook of Operating Procedures, Section 2.4.1 at: <https://catalogs.uttyler.edu/en/UTTyler/HOP/Series-200-General-Policies-and-Procedures/2-4-1-Nondiscrimination-Policy-and-Complaint-Procedure>
6. Violation of the University policies, including the pertinent guidelines, applying to nondiscrimination against employees on the basis of disability.
7. Serious violation of University policies governing the professional conduct of faculty, including, but not limited to policies applying to research, outside professional activities, conflicts of commitment, clinical practices, violence in the workplace, and whistleblower protections.

## **Responsibilities to the Community**

### **Ethical Principle**

"As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking for or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom." (AAUP Statement, 1966, Revised in 1987 and 2009).

### **Ethical Standards of Conduct**

1. In their roles as representatives of the College, faculty should avoid misrepresentation of personal views as a statement of position of the College or any of its agencies.

### **Types of Unacceptable Conduct**

1. Intentional misrepresentation of personal views as a statement of position of the University or any of its agencies. (An institutional affiliation appended to a faculty member's name in a public statement or appearance is permissible, if used solely for purposes of identification.)

2. Commission of a criminal act which has led to conviction in a court of law and which clearly demonstrates unfitness to continue as a member of the faculty.

### **Responsibilities to Professional Ethics Codes**

#### **Ethical Principle**

The Department of Psychology and Counseling adopts the ethics codes of the American Psychological Association (2002, Revised in 2010 and 2016), the American Counseling Association (ACA, 2014), and the Texas Administrative Educators' Code of Ethics (Rule §247.2, 2018) to guide faculty in university related activities. While the codes are largely in agreement, one may provide more detailed information on a specific topic than the other. For example, the ACA code seems to provide more guidance on Supervision, Training, & Teaching issues. When there is consistency between the codes, the code that provides the most detailed guidance will apply. In the unusual event that there is inconsistency between the APA and ACA codes of ethics, the one that provides the greatest protection to the most vulnerable party (e.g., student, supervisee, subordinate) will take precedence in decision making.

- ACA: <https://www.counseling.org/knowledge-center/ethics>
- APA: <https://www.apa.org/ethics/code>
- TAE:

[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p\\_dir=&p\\_rloc=&p\\_tloc=&p\\_ploc=&pg=1&p\\_tac=&ti=19&pt=7&ch=247&rl=2](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=19&pt=7&ch=247&rl=2)

#### **Caveats**

A faculty member who is a member of either APA or ACA or another professional organization (or licensed by an agency that adheres to one of these codes) will not be required to follow a course of action that is prohibited by her/his association's code. Although it is highly unlikely that this scenario will occur, it is within the realm of possibility.

This policy does not apply to non-university professional activities. Faculty members that possess professional licenses are guided by their respective licensing agencies' rules, regulations, and ethics codes in all non-university professional activities.

#### **Notes**

The TSBEP (Texas State Board of Examiners of Psychology) considers universities "exempt agencies" and does not regulate the university-related activities of its licensees in these settings. It is also recommended that the catalog be changed to indicate that students adhere to both code of ethics, not just those of the APA.

### **Other Responsibilities**

#### **Ethical Standards of Conduct**

1. Faculty plan, design, conduct, and report research in a manner that is consistent with relevant ethical principles, federal and state laws and regulations, and scientific standards governing research with human participants.
2. Faculty members engage in humane care and use of animals in research.
3. Faculty members acknowledge the scholarly contributions of students and colleagues.

#### **Types of Unacceptable Conduct**

1. Faculty members do not discriminate against colleagues or students on political grounds, or for reasons of race, religion, sex, sexual orientation, ethnic/ national origin ancestry, marital status, medical condition, status as a covered veteran, or because of age or citizenship or for other arbitrary or personal reasons. See Handbook of Operating Procedures, Section 2.4.1 at:

<https://catalogs.uttyler.edu/en/UTTyler/HOP/Series-200-General-Policies-and-Procedures/2-4-1-Nondiscrimination-Policy-and-Complaint-Procedure>

2. Faculty members do not engage in or condone sexual harassment or misconduct. See Handbook of Operating Procedures, Section 2.4.3 at:

<https://www.uttyler.edu/academicaffairs/files/243sexualmisconduct.pdf>

3. Faculty members do not enter into dual relationships that could reasonably be expected to impair their professional objectivity or risk exploitation of others.