

APPENDIX X: CIVILITY POLICY AND PROFESSIONAL ETHICS

A10.1 USC Upstate Civility Policy

The University of South Carolina Upstate seeks to create an environment in which members of the University community are civil and respectful of individuals and individual differences. The faculty of the University believes that these goals can only be achieved through adherence to the values expressed in the Carolinian Creed. Accordingly, the faculty of the University considers bullying unacceptable because it undermines these values. This policy creates a process for reporting, investigating, and resolving complaints related to bullying. The intent of this policy is to stop bullying as quickly as possible in a just manner. It is further the intent of this policy to stop bullying while protecting academic freedom, preserving the highest standards of teaching and scholarship, and advancing the missions of the University as an institution of higher learning.

Bullying is repeated, unwelcome behavior that threatens, intimidates, humiliates, or isolates the targeted individual(s), or undermines their reputation or job performance. Bullying may be perpetrated by an individual in authority over the target, a peer, or an individual in a subordinate position. It may take, but is not limited to, one or more of the following forms:

- Verbal abuse
- Unwarranted criticism or malicious gossip
- Unwarranted monitoring
- Unwarranted physical contact
- Exclusion or isolation in the workplace
- Work interference or sabotage
- Cyberbullying
- Other offensive conduct/behaviors (including nonverbal) that are threatening, humiliating, harassing, or intimidating

When possible, faculty members are encouraged to resolve differences informally, either directly or through mediation by the USC Upstate Ombudsman (i.e., the Associate Vice Chancellor for Academic Affairs). If the matter remains unresolved, a written complaint of bullying should be brought to the attention of the person who has direct supervisory responsibility over the individual whose actions are in question (i.e., Chair, Director, Dean, Senior Vice Chancellor, Chancellor). All matters concerning the complaint, and any subsequent investigation, are to remain confidential. The written complaint should include as much of the following as possible:

- Clear, specific allegations against the person or people;
- Where possible, dates, times, and witnesses to incidents;
- Factual description of events;
- Documentary evidence, including direct quotes, if possible; and
- Descriptions of any actions the complainant or others have already taken.

The supervisor initiates an investigation within 10 days of receiving the complaint. The investigation includes interviewing all parties to the complaint, as well as any others who the complainant believes are able to provide additional material information. The responsible supervisor may designate an ad hoc investigatory committee to conduct or assist in the investigation. The investigation should normally be concluded no later than 30 days after receipt of the initial complaint. If the investigation cannot be completed within 30 days, written notification of the delay and the reasons for the delay are provided to the complainant. When the investigation is completed, a confidential report is sent for appropriate action to the Chancellor. The complainant is notified when the investigation is completed.

If the responsible supervisor does not resolve the issue to the satisfaction of the parties of the complaint

or within the required time frame, the complaint may be taken to the next higher supervisor, who reviews the record and determines whether the investigation was reasonably conducted and the findings supported by the evidence. The reviewing official may uphold, reverse, or modify the investigation findings, or may remand the matter for further investigation. If the result of review is not satisfactory to the parties, a final appeal can be made to the Chancellor, who may review the record and interview all parties to the complaint. Absent any discretionary review by the Chancellor, the decision of the reviewing official shall be final.

The procedures set forth in this policy are not exclusive. Complainants may use the grievance policy to address charges of bullying. If the grievance panel determines that it has jurisdiction and accepts the complaint, its proceedings supplant the procedures set forth in this policy.

If the final determination of the investigation is that bullying occurred, the University shall take appropriate remedial action, which may include disciplinary sanctions up to, and including, suspension with or without pay.

Regardless of whether a determination of bullying is made, reasonable efforts are taken to ensure that complainants who make allegations in good faith, and others who cooperate in good faith with inquiries and investigations, are not retaliated against. If relevant, the responsible supervisor will determine whether the complainants' allegation or witnesses' factual assertions were made in bad faith. If an allegation is determined to have been made in bad faith, appropriate action, which may include disciplinary sanctions, can be assessed.

We acknowledge that portions of this document were obtained from the University of New Mexico's "Procedures for Reporting and Investigating Complaints of Faculty Bullying" and the University of South Carolina's "Workplace Bullying" policy. Approved by the Faculty Senate on April 18, 2014

A10.2. AAUP Statement on Professional Ethics

The statement that follows was originally adopted in 1966. Revisions were made and approved by the Association's Council in 1987 and 2009.

Introduction

From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to professors in such matters as their utterances as citizens, the exercise of their responsibilities to students and colleagues, and their conduct when resigning from an institution or when undertaking sponsored research. The *Statement on Professional Ethics* that follows sets forth those general standards that serve as a reminder of the variety of responsibilities assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to ensure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the general secretary and the Committee on Professional Ethics, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the [1940 Statement of Principles on Academic Freedom and Tenure](#), the 1958 [Statement on Procedural Standards in Faculty Dismissal Proceedings](#),¹ or the applicable provisions of the Association's [Recommended Institutional Regulations on Academic Freedom and Tenure](#).²

The Statement

1. 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.
2. As teachers, professors encourage the free pursuit of learning in 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 ensure 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.
3. 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 debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

4. 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 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.
5. 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 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.

Notes

1. AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 91–93.

2. *Ibid.*, 79–90.