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Faculty Handbook

## **Faculty Rights and Responsibilities**

Last updated: 7/27/1984

### **IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)**

*The following policy was approved by the Board of Trustees on July 27, 1984.*

The Bylaws of the Michigan State University Board of Trustees state that "the Constitution (of the State of Michigan) confers upon the Board of Trustees the freedom, power, and responsibility to develop a free and distinguished university and to promote the welfare of mankind through teaching, research, and public service." <sup>1,2,3</sup>

As the primary functions of an academic community, learning, teaching, scholarship, and public service must be characterized by a fundamental commitment to academic freedom and maintained through reasoned discourse, intellectual honesty, mutual respect and openness to constructive criticism and change. Faculty members, as central to this community, serve as scholars pursuing the search for knowledge and its free expression, as teachers instructing students, and as professionals and citizens contributing special knowledge and skills through public service and community participation. In the performance of all these functions faculty members are held accountable to the University, in accordance with established policies and procedures, by the Board of Trustees which, as an elected body, is responsible to the people of the State of Michigan. <sup>4</sup>Michigan State University strives to create and maintain a community that enables all of its members to reach their full potential. To do so requires an environment of trust, openness, civility, and respect. The University is firmly committed to discouraging behaviors which adversely impact a person's ability to participate in the scholarly, research, educational, patient care, and outreach and engagement missions of the University. The University has a compelling interest in ensuring an environment in which productive work and learning may thrive. The University also has an interest in respecting freedom of speech and protecting academic freedom and in preserving the widest possible dialogue within its instructional and research settings.

The University expects its faculty members to engage with others in a professional manner, with civility and respect. In order to carry out the mission of the University, faculty members, as members of both the academic and the broader public community, have the right to a clear statement of academic freedom, tenure, and other fundamental faculty rights and responsibilities. The purpose of this document is to acknowledge these fundamental rights and responsibilities. <sup>5</sup>

### **Academic Freedom and Responsibility**

Michigan State University endorses academic freedom and responsibility as essential to attainment of the University's goal of the unfettered search for knowledge and its free exposition. Academic freedom and responsibility are fundamental characteristics of the University environment and are always closely interwoven and at times indistinguishable. Academic freedom and responsibility are the twin guardians of the integrity and quality of universities. The University looks to its faculty members to exercise their rights responsibly and to meet their obligations fully as professionals. Faculty acceptance of their responsibilities to students, colleagues, the scholarly community, and the public explains in great part why society historically has accepted the concept of academic freedom and has afforded its protection through the institution of academic tenure.

For faculty members, the principal elements of academic freedom include:

1. The right, as teachers, to discuss in the classroom any material which has a significant relationship to the subject matter as defined in the approved course description;
2. The right to determine course content, grading, and classroom procedures in the courses they teach;
3. The right to conduct research and to engage in creative endeavors;
4. The right to publish or present research findings and creative works;
5. The right to engage in public service activities; and
6. The right to seek changes in institutional policy through established University procedures and by lawful and peaceful means.

Academic freedom carries with it responsibilities. For faculty members, the principal elements include:

7. The responsibility to carry out assigned teaching, research, and public service duties in a professional manner and in keeping with University policy;
8. The responsibility, as teachers, to refrain from introducing matters which are not consistent with their teaching duties and professional competence and which have no significant bearing on the subject matter of the course as approved under University procedures;
9. The responsibility to pursue excellence and intellectual honesty in teaching, research, and other creative endeavors and in public service activities; and in publishing or presenting research findings and creative works;
10. The responsibility to encourage students and colleagues to engage in free discussion and inquiry; and to evaluate student and colleague performance on a scholarly basis;
11. The responsibility to work in a collegial manner with appropriate individuals and bodies to encourage the free search for knowledge; its free exposition, and the University's continuing quest for excellence; and
12. The responsibility to differentiate carefully their official activities as faculty members from their personal activities as citizens and, when the situation warrants, to make it clear that, when speaking as private citizens, they do not speak for the University.

The above list provides a summary outline of the principal elements of academic freedom and responsibility. More detailed and explicit definitional statements applicable to specific faculty rights and responsibilities are set forth below under the following headings: Academic Tenure, Academic Governance, Teaching, Research and Creative Activity, Public Service, Relations with Colleagues, Relation to the University and the Community, and Resolution of Conflicts.

#### **Academic Tenure**

The faculty have a right to expect that the University's tenure system is characterized by high integrity and a responsibility to participate in the operation of the tenure system seriously and in good faith. All decisions involving tenure system recommendations shall be made in conformity to the University-approved policies and procedures that govern the tenure system.

#### **Academic Governance**

The faculty have a right and responsibility to participate in the establishment and functioning of a governance system at the department or school, college, and University levels in accordance with Michigan State University *Bylaws for Academic Governance* to ensure academic freedom and the promotion of the goals of the institution. The University looks to the faculty for recommendations on various academic personnel matters including faculty appointments, reappointments, promotions, the award of tenure, and salary increase guidelines; on the development of new academic programs and the modifications or discontinuance of existing

programs, on academic curricula and standards; on definition of University mission and goals; on policies governing research and creative endeavors; on the formulation of annual budget requests and allocations; and on the selection and review of specified administrative officials, as well as other issues that concern the general welfare of the University, including student affairs and the academic environment.

Through the academic governance system, the University accords a central role to faculty peer review in the departments or schools, colleges, and the University. Faculty have a responsibility to participate in peer review procedures to ensure personnel recommendations which promote excellence. In accordance with established departmental or school, college, and University policies, faculty members have the right to be informed of the standards, criteria, procedures and other conditions which affect all aspects of their appointment in the tenure system, to be evaluated in a fair, objective manner, and to receive timely notice regarding their future appointment status at Michigan State University.

### **Teaching**

Because the faculty's role in the educational process is primary and central, the faculty member, as teacher, has the responsibility to make every effort to be accurate, objective, and effective. In the classroom, the teacher shall address topics and present materials consistent with the teaching assignments as defined in the approved course objectives.

The teacher has the responsibility to encourage the pursuit of learning by students by manifesting the best academic standards of the discipline or profession. To accord students respect as individuals, the teacher shall seek to establish a relationship of mutual trust and to establish an appropriate role as an intellectual guide, counselor and mentor, both in and out of the classroom. If problems arise in the relationship between teacher and student, whether on personal matters or on instructional materials or methods, both teacher and student shall attempt to resolve them in informal, direct discussions as between well-intentioned, reasonable persons.

The teacher has the responsibility not to exploit students for private advantage; the teacher also should avoid any form of prohibited discrimination or harassment, with the understanding that racism, sexism, and other forms of bias are unlawful under the Faculty Handbook, Michigan law, and federal statutes, and preclude the establishment of an effective learning environment.

The teacher has the responsibility to foster and require honest academic conduct. The teacher has authority and responsibility for grades and shall assure that the evaluation and assessment of academic performance reflect each student's true achievement by good faith application of criteria appropriate to the field of study and the course. The teacher shall further protect academic freedom for faculty and students by acknowledging the contributions of students to professional work of faculty members and by assuring that each student is free to voice opinions openly and to exchange ideas free from retaliation. Teachers have the responsibility to observe the University, college and department/school policies regarding such matters as the statement of course objectives, examination policy, office hours, course evaluations, and other provisions of *The Michigan State University Code of Teaching Responsibility*.

### **Research and Creative Activity**

To fulfill the University's mission of advancing and disseminating knowledge for the improvement of the welfare of the public, faculty members have a responsibility to conduct research and engage in creative activity in their area(s) of appointment and professional competence. Recognition of professional competence and definition of area(s) of appointment occur in the basic academic units (departments, schools, non-departmentally organized colleges) through procedures in which established systems of peer review play a central role.

As scholars, faculty members have the right and responsibility to create, seek, and state knowledge freely and openly and to strive for scholarly excellence. The scholar has the right and responsibility to exercise critical self-discipline and judgment in generating, using, extending, and transmitting knowledge, to adhere to the highest standard of intellectual honesty, and to oversee and evaluate the research and creative efforts of students and subordinates. Faculty shall conduct all research and creative activity in a manner consistent with accepted scholarly standards and in conformity with legal, professional, and University codes, policies, and regulations governing research and creative endeavors.

### **Public Service**

As the land-grant university of the State of Michigan, Michigan State University is committed to public service as an integral aspect of its mission; this entails a commitment to the creation, dissemination, and application of knowledge. Public service involves the application of the faculty member's professional training and competence to issues and problems of significance to constituencies and it is related to academic program objectives of the unit(s) in which the faculty member is appointed. Faculty members engaging in public service activities enjoy the same rights and have the same responsibilities which were previously stated as pertaining to them as teachers and scholars.

Faculty members, in accordance with University policy and regulations, can serve as valuable resources and provide valuable services by working with government, industry, public organizations, and others off-campus. Faculty members have the right to engage in a limited amount of outside work for pay in accordance with University policy and regulations.

### **Relation with Colleagues**

As colleagues, faculty members have rights and responsibilities that derive from common membership in a community of scholars. Faculty have the responsibility to respect and right to defend the free inquiry of associates and, in the exchange of ideas and criticism, the responsibility to respect the views and rights of others. Faculty members shall acknowledge the contributions of colleagues to their own work. In the evaluation of the professional performance of a colleague, the faculty member shall provide an honest and objective appraisal in accordance with established department/school, college, and University criteria. The faculty member shall foster collaboration with and support of colleagues. Acts of discrimination prohibited by law or policy against colleagues<sup>1</sup> include harassment of another member of the University community, and retaliation. Some other examples of conduct that is unacceptable include but are not limited to: threatening behavior, actions, or comments; bullying behavior (defined as a persistent pattern of negative behavior based upon a real or perceived power or status imbalance); inappropriate limitation of others' freedom of speech, employment opportunity, access to University residential facilities, or participation in education, athletic, social, cultural, or other University activities; forcible detention and acts of physical and mental harm; and behavior that results in a hostile working environment.

### **Relation to the University and the Community**

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<sup>1</sup> For more information about state and federal laws that detail prohibited acts of discrimination, please see the Equal Opportunity and Non-Discrimination section of the Faculty Handbook and book. Such prohibited acts in the Faculty Handbook include but are not limited to discrimination based on race, religion, gender, national origin, age, and disability. Note that the Michigan Elliott-Larsen Civil [Rights Act](#) was amended and updated in March 2023, and now prohibits discrimination at in the state of Michigan based on religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, familial status, or marital status.

As members of Michigan State University, the faculty have a primary responsibility to strive for academic excellence in instruction, research, and public service. When the situation warrants, faculty members acting or speaking as citizens have a responsibility to make clear that these actions and utterances are entirely their own and not those of the University or any component of the University. Faculty members have the responsibility not to abuse their standing within the University for personal or private gain nor use University employees, facilities, equipment, supplies, or other property for personal or private business.

As a member of the wider community, the faculty member has the rights and obligations of any citizen. In exercising these rights, the faculty member speaks only as an individual, either as a professional scholar with a field of special competence or as a private citizen.

Faculty members should be mindful that membership in the academic community inevitably involves identification and association with the University and that the University often is judged by the actions, performance, attitudes and expressions of its faculty members. Faculty members normally do not face a conflict between the exercise of their rights as a citizen and their responsibilities as a faculty member. If citizenship activities interfere with faculty responsibilities, faculty members should request a leave of absence, resign from their appointment, or limit those activities to ensure a complete discharge of faculty responsibilities.

### **Resolution of Conflicts**

The University is committed to respect the rights of the faculty. Faculty members who believe that their rights have been violated have the right to seek redress through the University's established procedures for the hearing and resolution of complaints. Faculty members have the obligation to meet their responsibilities as defined in this document and in those cited in Appendix A to help the University maintain academic excellence and realize its goals. Faculty members accused of failing to meet these responsibilities have a right to be informed of the accusations and accorded timely access to University procedures to determine whether or not the accusations are valid and any sanctions justified.

### **Amendment Procedures**

Amendments to this document may be initiated by any individual member of the faculty and shall be submitted to the Office of the Provost and the University Committee on Faculty Affairs for consideration and action in accordance with Section 4.7.3 of the *Bylaws for Academic Governance*.

## **APPENDIX A**

### **Michigan State University Policy Documents Generally Applicable to Faculty Rights and Responsibilities:**

- Bylaws of the Board of Trustees
- Board of Trustees Policy Manual
- Bylaws for Academic Governance
- The University Catalog
  - Academic Programs
  - Description of Courses
  - Graduate Study
- Sponsored University Programs for Research and Education
- Academic Freedom for Students
- Bulletin (Schedule of Courses)
- Faculty Handbook
- Faculty and Staff Benefits

- Graduate Student Rights and Responsibilities
- Ordinances
- Student Handbook
- Traffic Regulations
- Travel Regulations
- Manual of Business Procedures
- Faculty Group Practice, Colleges of Human and Osteopathic Medicine
- Medical Student Rights and Responsibilities
- Bylaws of the College or Colleges
- Bylaws of the Department(s) or School(s)

**Policy Documents Specifically Applicable to the Statement on Faculty Rights and Responsibilities:**

- Abrogation of Faculty Responsibility
- Academic Advisement, Enrollment, Registration and Counseling
- Academic Freedom
- Academic Freedom for Students (especially Article 2)
- *Academic Programs: Michigan State University*
- Anti-Discrimination: Policy and Procedures
- Appointment, Reappointment, Tenure, and Promotion Recommendations
- *Bylaws for Academic Governance*
- *Bylaws of the Board of Trustees* (especially the Preamble and Article 7)
- Code of Teaching Responsibility
- Development of Copyrighted Material
- Discipline and Dismissal of Tenured Faculty for Cause
- Equal Opportunity and Non-Discrimination
- Faculty Grievance Procedure
- Faculty Group Practice, Michigan State University
- Final Examination Policy (*Schedule of Courses*)
- Freedom of Expression (Board of Trustees Policy Manual)
- Integrity of Scholarships and Grades (*Academic Programs*, General Information, General Procedures and Regulations)
- Interim Guidelines for Potential Conflicts of Interest in Academic Areas of the University
- Medical Service Plan for Colleges of Human Medicine and Osteopathic Medicine
- Mission Statement, Michigan State University
- Non-Tenured Faculty in the Tenure System
- Ordinance on Examinations (*Ordinance #17.00*, Michigan State University)
- Outside Work for Pay
- Overload Pay
- Patents
- On Preventing Conflicts of Interests in Government-Sponsored Research at Universities
- Protection of Human Subjects
- Regulatory Guidelines for Research
- Rights of Students to Receive Instruction
- Sponsored Research and Creative Endeavor
- Sponsored University Programs for Research and Education

- Student Instructional Rating System
- Student Records
- Tenure of Appointment at Michigan State University
- Use of Animals in Research, Teaching and Outreach

**Footnotes:**

<sup>1</sup> The terms, "faculty" or "faculty members," as used in this document, apply to individuals appointed in the tenure system with the rank of instructor through professor. (However, as applicable in the context of assigned duties and responsibilities, the provisions of this policy apply to all faculty and academic staff).

<sup>2</sup> *Bylaws of the Board of Trustees*, as amended January 24-25, 1980, *Preamble*, page 1.

<sup>3</sup> "The Board of Trustees, the administration, and the faculty carry out their respective responsibilities not as isolated entities, but as major and primary constituents of the total University organization and structure which remain mutually independent and must be supportive of each other's purposes, functions, and obligations. It is within this context that the rights and responsibilities of the faculty are to be construed" (*Bylaws of the Board of Trustees*, as amended January 24-25, 1980, Article 7, page 7.)

<sup>4</sup> "The Board of Trustees, elected by the voters of the State and responsible to all the people of Michigan, exercises the final authority in the government of the University, within the limits fixed by the State Constitution. In exercising its responsibility, the Board delegates to the President of the University and through the President to the faculty, appropriate authority and jurisdiction over matters for which they are held accountable by the Board. These matters include educational policy and the development of a strong and efficient organization with which to accomplish the objectives of the University." (*Bylaws of the Board of Trustees*, as amended January 24-25, 1980, *Preamble*, page 1.)

<sup>5</sup> Some faculty rights and responsibilities referred to in this document are stated elsewhere (see Appendix A).

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