



# Faculty Handbook

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## FACULTY OVERVIEW

### *Academic Freedom & Responsibility*

The following information is extracted from the University of Hawaii Professional Assembly (UHPA) contract. For more information, visit the [UHPA website](#).

#### ARTICLE IX, ACADEMIC FREEDOM

##### A. ACADEMIC FREEDOM

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#### ARTICLE IV, FACULTY PROFESSIONAL RESPONSIBILITIES AND WORKLOAD

#### ARTICLE IX, ACADEMIC FREEDOM

##### A. ACADEMIC FREEDOM

Faculty Members are entitled to freedom in the classroom in discussing subjects of expertise, in the conduct of research in their field of special competence, and in the publication of the results of their research. The Employer recognizes that Faculty Members, in speaking and writing outside the University upon subjects beyond the scope of their own field of study, are entitled to precisely the same freedom and are subject to the same responsibility as attaches to all other citizens. When thus speaking as a citizen, they should be free from censorship or discipline.

*In the exercise of Academic Freedom, Faculty Members will be held to the Professional Responsibilities set forth in **Article IV, Faculty Professional Responsibilities and Workload**.*

The commitment to academic freedom in the conduct of research does not imply that a Faculty Member's research is not subject to critical review and judgment as to its quality and significance.

##### B. PROCEDURE FOR DEALING WITH ALLEGED INFRINGEMENTS

1. When there is belief that a Faculty Member's academic freedom is threatened by the possible violation of Paragraph A above, the Faculty Member may discuss the matter with the Department Chair or the appropriate Administrative Officer.

2. Provided that a grievance alleging a violation of Paragraph A above has not been filed, if a satisfactory adjustment of the matter does not result, the Faculty Advisory Committee on Academic Freedom (FACAF) will be convened by the appropriate Administrative Officer within twenty (20) calendar days of the receipt of the written request from the Faculty Member. If such a grievance has been previously filed, the Faculty Member may not request that a FACAF be convened. The Faculty Member may present a case, confidentially and orally, to the FACAF, which will then informally inquire into the situation to determine whether there is a probable violation of the provision on academic freedom, and attempt to effect an adjustment.

3. If the committee concludes that academic freedom is in jeopardy by the

probable violation of Paragraph A above, and that no adjustment can be effected, it will then request a written statement from the complaining Faculty Member and proceed to collect all factual materials available relating to the case.

4. After consideration of these materials, the FACAF will make a recommendation to the appropriate Administrative Officer within thirty (30) calendar days from the date in which the Committee was first convened. The Administrative Officer shall take action, based upon the recommendation of the FACAF, within twenty (20) calendar days after receiving the Committee's report. A copy of the Committee's report and recommendation and a written statement of the action taken by the Administrative Officer shall be sent by the Administrative Officer to the appropriate Chancellor or Vice President and the Faculty Member.

5. If the Administrative Officer takes action which does not satisfy the Faculty Member, and the Faculty Member believes the action violates Paragraph A above, the Faculty Member may file a grievance at Step 1 of the Grievance Procedure (Article XXIV).

**C. ADVISORY COMMITTEE ON ACADEMIC FREEDOM**

The Faculty Advisory Committee on Academic Freedom shall consist of five (5) members appointed from the Faculty Personnel Panel, with exceptions made under the exclusion option pursuant to Article XV. A majority of the committee shall be from the campus in which the alleged infringement occurred. Additionally, at Manoa and the

University of Hawaii at Hilo, at least two (2) members of the majority from the respective campus shall be from the school or college of the Faculty Member.

**D. PROCEDURE FOR DEALING WITH ALLEGED BREACH OF PROFESSIONAL ETHICS AND/OR CONFLICTS OF INTEREST IN RESEARCH OR SCHOLARSHIP**

Because the Faculty possess unique and expert qualifications to assess breaches of professional ethics, including conflicts of interest in research or in scholarship, the President or designee may, at his/her option, appoint not more than five (5) Faculty Members to investigate an allegation thereof, before imposing discipline, on the following conditions:

- the accused Faculty Member and the Union are informed in writing that such an investigation is about to be conducted, and are informed of the names of the appointed Faculty Members; and
- the Faculty Members who are appointed do consent to serve; that the appointed Faculty Members are disqualified from participation in any departmental personnel deliberation or decision whatsoever during the period of their appointment as investigators, and from any personnel deliberation or decision whatsoever involving the accused for a period of three (3) years following the termination of their appointment as investigators.

The investigators may render their opinion regarding whether a breach of professional ethics and/or a conflict of interest has occurred, and an opinion regarding the severity of the breach and any curative steps that ought to be taken in amelioration thereof. They may not, however, express an opinion regarding the appropriate discipline, if any, to be imposed by the Employer. Any disciplinary action arising out of the investigation shall be in accordance with Article XVIII.

**ARTICLE IV, FACULTY PROFESSIONAL RESPONSIBILITIES AND WORKLOAD**

A. Faculty Members are responsible for maintaining high professional standards of scholarship and instruction in their field of special competence. In giving instruction upon controversial matters, Faculty Members are expected to set forth justly and without suppression the differing opinions of other investigators, and in their conclusions provide factual or other scholarly sources for such conclusions. Faculty Members should be careful not to introduce into their teaching controversial matters that have no relation to their subject. In the conduct of research, Faculty Members shall adhere to legal and ethical standards and procedures. Faculty Members employed by an organized research unit or other organizational units with a research mission, or whose research is supported by an extramural contract or grant, have a responsibility to follow the directions of their supervisor or principal investigator in the conduct of research in support of the mission of the unit or in fulfillment of the terms of the contract or grant. The commitment to academic freedom in the conduct of research does not imply that a Faculty Member's research is not subject to critical review and judgment as to its quality and significance. When speaking and acting as citizens, Faculty Members shall

take suitable precaution to assure that personal utterances or actions are not construed as representing the University.

B. The primary professional responsibilities of Faculty Members are teaching, research, specialized educational services, and community service. Faculty Members also have professional responsibilities such as advising students; registration of students; participation in campus and University-System committees; keeping regularly posted office hours which are scheduled at times convenient for students; and participation in traditional functions which have unique academic significance. The performance of teaching duties, research, and service extends beyond classroom responsibilities and other direct student contact duties.

Instructional activities encompass more than just classroom teaching. Other aspects of instruction include, but are not limited to: academic and thesis advising, supervision of instructional activities such as cooperative work experiences, practica, internships, and practice; instructional management, tutoring; curriculum and course development; and creation of teaching and instructional materials, and supervision of laboratory activities. Also, included in the work associated with instruction are the implementation of instructional systems and strategies, distance learning technologies, and student evaluation and assessment.

Faculty workload is not limited to instruction. It may include disciplinary research, scholarly activities, or creative endeavors; service to the academic community, the government, the private sector, and other public interest groups; outreach programs; student advising and counseling; equipment and facilities development and maintenance; and information systems development and implementation, including professional librarian services, or serving as a program coordinator.

The Board of Regents recognizes Faculty Members are professional employees and experts in their fields. Faculty workload shall be based on the following principles.

1. Faculty Members when engaged in instruction and research find most of the work occurs outside of the classroom, in the same manner as most of the work of surgeons and attorneys is outside of the operating theater and courtroom, respectively. It is understood that Faculty Members are not hourly employees. Faculty workload will be scheduled according to the nature of the work, the preparation and training necessary to complete the work, the time of day that the instructional or other duties are performed, and the location of the worksite.

2. The elements of individual Faculty Member's workload may differ depending on: the professional duties of the Faculty Member; the objectives of the unit, division, or department; and the mission of the school or college. When making workload judgments about instructional and direct student contact, the unit, division, or department will give consideration to the total responsibilities borne by the Faculty Member within the context of the college mission and unit, division or department objectives.

3. Based upon the teaching demands placed upon the division or department by curriculum, the Chair, after consultation with division or department Faculty Members, will identify the total instructional workload requirements to be met for the academic year. Using the planned professional objectives and activities of the Faculty Member, and the objectives of the division or the department, the Chair and the Faculty Member will determine the Faculty Member's instructional workload in accordance with Board of Regents' Policy 9-16. In every case the assignment of credit hours shall take into account other aspects of the Faculty Member's responsibilities, e.g., research and service. In some cases, Faculty Members may not be assigned any course credit hour teaching.

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