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## NU-BOR-Bylaws-4.2

NU Board of Regents

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## Chapter IV. Rights and Responsibilities of Professional Staff

4.1 **Academic Responsibility.** Membership in the academic community imposes certain obligations. These obligations include the following duties of academic responsibility:

- (a) To respect: (1) the dignity of others; (2) the right of others to express differing opinions; (3) the right of others to be free from fear, from violence, and from personal abuse; and (4) the right of the University community to be free from actions that impede its normal functioning.
- (b) To enroll, teach, and evaluate the work of students without regard to considerations such as age, sex, race, color, national origin, or religious or political beliefs.
- (c) To establish and maintain a classroom or laboratory atmosphere that encourages free inquiry and the free expression of ideas by students.
- (d) To present the subject matter of courses as announced to the students and approved by authorities responsible for the curriculum.
- (e) To study current developments and maintain competence in the areas of assigned courses; to examine, continually and critically, the subject matter of such courses, as well as teaching techniques and proposals for improving higher education.
- (f) To: (1) fulfill the assigned time schedule of all classes, including quizzes, laboratories, tests, and other meetings, unless absence is caused by an emergency or approved University business. Changes in the scheduled times shall be authorized by the Dean, director, or department chair, with the agreement of the enrolled students and in the interest of an academic objective; (2) be available at frequent, regular, and scheduled times for student consultation; and (3) inform students concerning the requirements, standards, objectives, and evaluation procedures at the beginning of each course.
- (g) To participate upon request in the activities of the University in the areas of student advising and public service, and as appropriate, in the activities of the department, the college, the campus, and the University.
- (h) To make every effort to indicate that members of the professional staff are not spokesmen for the University except when authorized so to act.
- (i) To create and protect an atmosphere of intellectual honesty in the academic community.

4.2 **Academic Freedom.** The University serves the people of Nebraska and the common good through learning, teaching, extension work, research, scholarship, and public service. Fulfillment of these functions requires the preservation of intellectual freedoms of teaching, expression, research, and debate. The right to search for truth, to support a position the searcher believes is the truth, and to disagree with others whose intellect reaches a different conclusion is the fiber of America's greatness. It is, likewise, the strength of a great University, and its preservation is vital.

A teacher or researcher is entitled to freedom in research, and publication of the results of research, limited only by the precepts of scholarship and faithful performance of academic obligations. Members of the professional staff are entitled to freedom in the classroom in discussing their subjects.

Members of the professional staff are entitled to exercise their right to speak and act as citizens of the United States and of the State of Nebraska. Members of the professional staff shall not suffer sanctions or be

discriminated against with respect to the duration of association with the University, pay or other emoluments of their office, appointment, position, or their working conditions because of their enjoyment, or exercise, of their right of academic freedom, or in any case where such action would constitute a violation of federal or state civil rights laws or regulations. Staff members who violate laws prescribed by civil authorities may incur penalties attached to such laws. The University should not impose sanctions to duplicate the function of these laws. Where the University's interest as an academic community is clearly involved, the authority of the University may be asserted. The Board reaffirms belief in, pledges support of, and directs all segments of the University community to sustain and follow the foregoing principles of academic freedom.

**History:** Amended, 49 BRUN 300 (16 June 1984).

Several sections were consolidated and renumbered in the 1984 revised edition.

4.3 **Appointments: Apportionment of Faculty Responsibilities; Stated in Writing.** [a] Every appointment by the University to a position as defined in Section 3.1.1.1 of these *Bylaws* shall be in writing and signed by the Board or its authorized agent. The writing shall contain the following, and may contain additional mutually agreed upon terms:

(1) Identification of the type of appointment, either a “Special Appointment,” an “Appointment for a Specific Term,” “Continuous Appointment,” “Health Professions Faculty Appointment,” or a “Faculty Practice and Faculty Research Appointment” as defined in Sections 4.4.1, 4.4.2, 4.4.3, 4.4.7, and 4.4.8 of these *Bylaws*.

(2) A statement that the rights and responsibilities specified in Sections 4.1 through 4.2 of these *Bylaws* are a part of the appointment.

(3) Identification of the appointee's rank, compensation, fringe benefits, and, where applicable, the termination date of the appointment.

(b) In addition to the written appointment required by this Section, every faculty member appointed to a position as defined in Section 3.1.1.1 of these *Bylaws* shall, when initially appointed, be given a written statement specifically stating and apportioning the faculty member's initial teaching, extension, service, research, and administrative responsibilities.

(1) This written statement shall be provided by the unit administrator or other appropriate official.

(2) The specific apportionment of a faculty member's responsibilities shall be reviewed periodically. Either the faculty member or the responsible unit administrator may initiate discussions of changes in apportionment of teaching, extension, service, research, and administrative responsibilities. In the process of any such discussions, both the faculty member and the unit administrator shall act in good faith to reach a mutual agreement.

(i) If the faculty member and the unit administrator are unable to reach mutual agreement with respect to changes in apportionment of the faculty member's responsibilities, the unresolved issues between them shall be expeditiously reviewed and decided by an elected faculty committee of the faculty member's tenure home college or equivalent administrative unit established pursuant to Section 2.9 of these *Bylaws*. The rules and regulations for each such committee may provide for a representative of the faculty member's tenure home department or equivalent administrative unit to serve as member of the committee.

(ii) Each college shall develop rules and regulations pertaining to the membership of this committee. These rules may allow an elected faculty representative of any department(s) or