

PL-ACADEMIC-004: Professional Conduct Policy

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Source / Authority

This policy was developed by the Office of the Vice President and Chief Academic Officer in close collaboration with the Office of the Vice President for Research, university colleges and academic programs. The office of the Vice President and Chief Academic Officer is responsible for overseeing and monitoring the implementation of this policy.

Purpose

The purpose of this document is to protect academic member freedom and ensure that fair procedures are followed. It is also intended to be a shared statement of the university academic community commitment to upholding the ethical, professional and legal standards.

Who Should Know This Policy

- President
- Vice President
- Legal Advisor
- Dean
- Director / Departmental Head
- Faculty
- Accounting/ Finance Personnel

- Student
- All Employees

Policy Description

This policy defines professional conduct requirements for academic members at Qatar University. It sets out the rules for handling misconduct and lays down procedures for handling complaints and appeals relating to misconduct.

Definitions

Academic members include regular faculty, researchers, and clinical-track/professional faculty. Ranks include teaching assistants, lecturers, assistant professors, associate professors, and professors.

Allegation of misconduct means communication by any means made by a complainant to the appropriate official at the University that discloses the complainant's honest belief that professional misconduct may have occurred.

Complainant means a person who makes an allegation of misconduct.

Fabrication means making up data or results and recording or reporting them.

Falsification means manipulating research materials, equipment, or processes, or changing or omitting data or results so that the research involved is not accurately represented in the research record.

Family members shall include second-degree-relative by blood (sons, daughters, brothers, sisters, spouse, fathers, and mothers).

Faculty Conduct Review Committee (FCRC) is the committee responsible to investigate and recommend on cases where professional misconduct is alleged.

Inquiry consists of preliminary information gathering and preliminary fact finding to determine whether an allegation or an apparent instance of professional misconduct has substance. The outcome of an Inquiry is a recommendation in favor or against conducting an Investigation.

Investigation is a formal examination and evaluation of relevant facts to determine the existence and severity of misconduct.

Outside activities in this document are meant to be paid (benefits) tasks performed by the academic member conducted outside of the University. It shall include any external consulting or other business activities and external professional or academic endeavors, such as pro bono work, performed outside by the faculty members or researchers.

Plagiarism means, according to Oxford University, “presenting someone else’s work or ideas as his own, with or without their consent, by incorporating it into your work without full acknowledgment. All published and unpublished material, whether in manuscript, printed or electronic form, is covered under this definition. Plagiarism may be intentional or unintentional.”

Professional misconduct shall mean conduct which breaches and falls below the level of conduct required by the relevant profession. Some of the examples of Professional Misconduct are as follows:

- Abandonment of position
- Conflict of interest
- Conflict of commitment
- Research misconduct
- Breach of confidentiality and trust
- Misuse of university funds, equipment or facilities
- Misuse of intellectual property of colleagues or students
- Abuse of authority
- Defamation of the university or its personnel
- Breach of third party intellectual property rights
- *Consenting relationships*, in which the relationship between a faculty member, researcher, lecturer and a student (or between a Member of the University Community and another University official in which there is a direct reporting relationship) extends beyond that of a professional academic nature. A faculty member who does enter into a consensual, adult and intimate relationship must make immediate arrangements to avoid or terminate any evaluative or reporting relationship.
- *Harassment*, in which individuals face discriminatory behaviors based on race, age, gender, nationality, or religion. Harassing behavior includes verbal, written or physical conduct directed against another that is abusive, intimidating, humiliating, or generally impairs the opportunity to conduct work.
- *Violation of university policies and procedures.*
- *Aiding others in violating University policies and procedures.*
- *Conviction of crimes* involving moral turpitude.
- *Breach of professional ethics.*

Research misconduct shall mean conduct by an academic member of the university community taking place at the university or in connection with university research that constitutes fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

Policy Statements

- Integrity and ethical behavior are indispensable to the university's mission;
- The university expects all academic members of the university community to act with honesty and in accordance with the highest standards of moral and ethical principles. Members of the university academic community are required to sustain a culture of ethical behavior;
- Every member must align his/her actions with his/her words, and the words must be consistent with the university's policies. They must assume responsibilities, be ready to share leadership, and prove themselves to be worthy of the highest standards of public trust;
- The evaluations of students' academic achievements must be fairly and impartially based on academic performance and no other consideration;
- Academic members must be good role models and act as intellectual guides, advisors and guardians of academic freedom. Exploitation and harassment of the students will never be tolerated.
- University academic members must at all times uphold the highest standards of rigor and ethical standards and judgment in their research endeavors;
- University academic members must acknowledge the contributions of others, and place higher importance on the expanding of knowledge rather than on the recognition or ownership;
- As colleagues, academic members must treat each other with respect and must not impair each other's free inquiry;
- They must maintain objectivity and fairness when it comes to their professional judgment of other members of the university community;
- Members of the university academic community must at all times act in the best interests of the university;
- Misuse of the university's financial, capital, or human resources will not be tolerated;
- Member of the university academic community must obey all applicable laws and prescribed policies, and avoid conflicts of interest;
- Academic members must not create the impression that they are acting or speaking on behalf of the university, college, department, officials or colleagues when they are not authorized to do so;
- Member of the university academic community will be notified in case of alleged misconduct;
- Academic members of the university community subjected to alleged misconduct will be given opportunity to respond to the charges;
- Discipline will be progressive, and appropriate to the seriousness of the misconduct;
- Academic members of the university community subjected to misconduct will be given opportunity to appeal.
- The university will handle all allegations of professional misconduct and enforce all disciplinary measures in connection with professional misconduct exclusively under this policy.
- This policy applies to all members of the University academic community (include all tracks of academics and researchers).
- Professional misconduct by academic members of the university community is not allowed. Professional misconduct undermines the trust placed upon the academic members of the university community, and compromises the integrity of the university.
- In situations where questions of potential professional misconduct arise, the university will ensure a procedure for fair and efficient inquiry, investigation and

adjudication. When it is determined that professional misconduct has occurred, the university will discipline those it finds responsible.

- The university maintains a firm commitment to protect academic freedom, and when faculty members are engaged in scholarly discourse, the university respects their right to present ideas, materials and topics relevant to the subject matter so long as they are presented in an appropriate academic manner and respect the culture, values, and morals of the community.
- Academic members of the university community must cooperate with Faculty Conduct Review Committee (FCRC) and other university officials in connection with professional misconduct proceedings. Academic members of the university community must, upon request, provide evidence and information relevant to an allegation of professional misconduct to the FCRC.
- Academic members of the university community shall not retaliate in any way against complainants, witnesses, or FCRC members. Academic members of the university community must report any known or reasonably suspected retaliation to FCRC, who shall take reasonable, practical and appropriate steps to counter the actual or potential effects of such retaliation.
- Complaint in bad faith will not be tolerated. If evidence is provided that an academic member complained in order to intimidate, humiliate, or ruin the reputation of another member, a disciplinary sanction shall be applicable.
- Except as required by applicable laws or regulations, neither the complainant, the respondent, nor any academic member of the university community shall publicize or disclose the identity of complainants, respondents, or members of the FCRC, or any records or evidence from which these persons might be identified, except to those who have a need to know.
- The university may comply with the applicable requirements and regulations of its funding agencies, and may cooperate with those agencies in accordance with the agencies' own procedures in regard to professional misconduct.

Procedure for Handling Misconduct

Allegations of misconduct and conflicts of interest must be first handled through the pre-existing administrative channels.

The complainants must bring their concerns to the attention of the direct administrator (e.g., department head, college dean, or Vice President and Chief Academic Officer). This administrator must use reasonable efforts to resolve the issue in a manner consistent with current University policies and procedures. If the problem is not solved at this level, then complainant shall bring it to the attention of higher levels of authority as needed through the appropriate channels.

Formal Complaints

If the problem is not resolved through the relevant university officer(s) within 10 working days, the complainant may file a formal complaint. The formal complaint process adheres to standards of peer review and due process.

- 1) *Initiation:* A formal written complaint is first filed with the Vice President and Chief Academic Officer through the appropriate administrative channel. The complaint must include the following items:

- The name, office, e-mail address and telephone number of the complainant;
 - The name of the respondent;
 - A statement detailing the potential professional misconduct;
 - The approximate date(s) on which the professional misconduct allegedly occurred;
 - The names of the persons who have relevant information about the incident;
 - Any other information, document or evidence that might assist in the investigation and resolution of the complaint; and
 - The signature of the complainant.
- 2) *Notification and Procedure*: The Vice President and Chief Academic Officer will first notify in confidence the complainant and the respondent along with the department head of the respondent and the college dean. The Vice President and Chief Academic Officer will submit the papers to the Faculty Conduct Review Committee (FCRC).
- 3) *Interim Measures*: The Vice President and Chief Academic Officer will consult with the college dean to determine if any provisional action needs to be taken while the formal complaint process is underway. Interim measures may be required if there is immediate danger for Members of the university community or to university facilities, or if there is potential for a criminal violation of the Qatari laws, if campus resources (including equipment, funds, or the physical plant) need to be protected, if efforts need to be implemented to ensure relevant evidence is preserved or witnesses are not unduly influenced. Interim measures shall not be considered as sanctions or discipline, or an assumption of the guilt. Interim measures may include limits on access or contact with people, reassignment or relief of duties (for a maximum of the duration of the Investigation). The Vice President and Chief Academic Officer, with the endorsement of the president, will work with the college dean to ensure that the interim measures will have minimal impact on the teaching and research activities of the department.
- 4) *Constitution of the FCRC*: Annually, the Vice President and Chief Academic Officer will form a FCRC that includes three members. An additional member (reserve) to be included in cases where conflict of interest may exist with one of the original three committee members or if one of the three members is unable to attend a meeting. The FCRC members will have the necessary expertise and experience to address the issues of the professional misconduct cases. FCRC will be chaired by a faculty member at the rank of “Professor” or “Associate Professor” with substantial experience at the University. One member of the committee will be with legal background. The FCRC members cannot have any actual (or apparent) conflicts of interest with the case.
- 5) *Inquiry and Investigation*: Within 5 business days from receiving the complaint, FCRC will initiate an Inquiry. It will determine whether an Investigation is warranted and if yes, it will determine a date for such Investigation meeting. It will communicate with the Vice President and Chief Academic Officer’s office to inform the involved parties of the date and location of such meeting.

- 6) *Hearing*: Within 15 business days, the hearing will be held by the FCRC. During the hearing the FCRC may review additional evidence, cross examine the parties and witnesses, and request additional evidence. All questions and comments must be addressed to the FCRC. The Respondent may resort to a licensed lawyer in the State of Qatar; however, the lawyer may not speak on the respondent's behalf at any point during the hearing. Timelines for all the phases of the hearing will be set by the FCRC. The minutes of the FCRC hearings will be recorded. The hearings will be kept confidential and their content will not be disclosed to the members of the university community or general public unless a court order or provision of law. If a member of the university community is called to attend a FCRC meeting as a witness or expert or otherwise, s/he shall be obliged appear at that hearing; otherwise the FCRC shall be entitled to take any action it deems appropriate.
- 7) *Preparation and Review of the Faculty Conduct Review Committee Report*: Upon completion of a hearing, the FCRC shall prepare a report that includes a complete description of the allegations, evidence, testimony, and conclusions. The FCRC report shall include recommendations either to dismiss the charges; or to issue sanctions. The FCRC will clearly articulate the rationale, based on both established fact and specific statements selected from this policy, behind their recommendations. The FCRC's report must be filed within seven business days of the completion of the Investigation. FCRC may request an extension of up to seven business days. The Vice President and Chief Academic Officer shall decide on whether to grant an extension or not.
- 8) *Vice President and Chief Academic Officer Response*: Within seven business days, the Vice President or the Chief Academic Officer will respond to the FCRC report. If the Vice President or Chief Academic Officer disagrees with the recommendations, the Vice President and Chief Academic Officer will meet with the FCRC to discuss the reasons for the disagreement before any action is taken. The Vice President and Chief Academic Officer may proceed with the sanctions, reduce the sanctions, or dismiss them.
- 9) *Vice President and Chief Academic Officer Decision*: The Vice President and Chief Academic Officer will prepare a written statement to the FCRC, to the Complainant and the Respondent. This statement will explain the rationale behind the decision, and provide the details of the sanctions. The Vice President and Chief Academic Officer will inform the Department Chair and College Dean of the Respondent of the final disposition of the case.
- 10) *Sanctions*: Possible sanctions include:
 1. Verbal warning;
 2. Written censure;
 3. Holding of promotion (for a maximum of one academic year);
 4. Loss of annual increase for one year;
 5. Removal of rolling contract status;
 6. Deprivation of end of service gratuity (for a maximum 30 days); and
 7. Dismissal from employment at the University.

The relevant Vice President has the final authority to implement the first three sanctions based on the recommendations of the FCRC. The President has

the final authority to implement the last four items based on the recommendations of the FCRC, relevant vice president.

Appeals

Respondents may appeal the FCRC's decisions on the grounds that the FCRC did not closely observe the above procedure or that new evidence which was not previously considered by the FCRC is now available. Parties are encouraged to raise all their arguments during the hearings; if there are issues that were not raised during the hearings, the Appeal Review Committee (ARC) shall take this into consideration.

Ultimate Authority: The President shall have final power in all matters regarding Professional Misconduct instances at the University.

1. *Appeals to the President:* Disciplinary action taken by the Vice President and Chief Academic Officer may be appealed to the President within seven business days of the issuance of the Vice President and Chief Academic Officer's decision. The request for appeal must include the specific reasons for appealing the decision, as well as the supporting evidence. Every year, the President will create an ARC consisting of three members and a fourth members (reserve) in cases where conflicts of interest exist with one of the members of the committee or if one of the original members is unable to attend the committee meeting. The President will assign the appeal to the ARC. ARC will examine the appeal within 10 business days. ARC will have access to all the documentation related to the appeal. ARC will review the documents and make a recommendation to the President. The ARC report shall include recommendations either to dismiss the charges or to maintain sanction. The ARC will clearly articulate the rationale, based in both established facts and specific statements selected from this policy, behind their recommendations.
2. *Ultimate Authority:* The President has the final authority to reject the appeal; to proceed with the sanctions; to decrease the sanctions; or to dismiss them. The President's decision shall be final and may not be appealed.

University's Responsibilities

Except as required by applicable laws or regulations or as otherwise permitted in this Policy, University shall not, without consent of the relevant individuals, disclose the identity of Complainants, Respondents, or members of the FCRC or ARC, except to those with a need to know at the University. University may disclose the findings and/or final report of the FCRC or ARC which concludes that Professional Misconduct has occurred; and University may disclose that an individual has admitted to conduct constituting Professional Misconduct, along with pertinent facts relating to such admission. University may also disclose the findings and/or final report of the FCRC and ARC that does not conclude that Professional Misconduct has occurred, unless if University and the Respondent believe that disclosure would assist in restoring the reputation of the Respondent and would serve overall fairness.