

University of Houston System Board of Regents Policies

21.03 Academic Freedom

To establish and clarify the rights and responsibilities of the faculty pursuant to academic freedom, the board adopts the following policy:

21.03.1 The faculty member is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of the faculty member's other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the component university.

21.03.2 The faculty member is entitled to freedom in the classroom in discussing the subject matter, but the faculty member should be careful not to introduce into the teaching controversial matter which has no close relation to the subject.

21.03.3 The faculty member is a citizen, a member of a learned profession, and an officer of an educational institution. When speaking or writing as a citizen, the faculty member shall be free from institutional censorship or discipline, but the faculty member's special position in the community imposes special obligations. As a person of learning and an educational officer, the faculty member should remember that the public may judge the profession and the institution by the faculty member's utterances. Hence the faculty member should at all times strive for accuracy, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that the faculty member is not speaking for the institution.

29.02 Sexual Harassment

The board, the system, and the component universities are committed to providing a professional working and learning environment free from sexual harassment. Sexual harassment is a form of sex discrimination and is illegal. Neither the board, nor the system, nor any component university will tolerate any form of sexual harassment. Furthermore, the board, the system, and the component universities are committed to providing the training to educate staff, faculty, and students about sexual harassment issues.

The component universities and the system administration shall adopt policies consistent with this policy. The rights of claimants and respondents will be protected by the procedures developed by the institutions.

31.01 Governmental Appearances

All system and component university employees appearing before Congress, the Texas Legislature, City, County, or governmental body, or their agencies, committees, or members to offer testimony, opinions, or commentary in regard to existing or potential laws, rules, or regulations, not expressly authorized to do so by the board or the chancellor, must clearly state in advance that they are appearing in their individual capacities and that their testimony, opinions, and commentary are not authorized by, and must not be construed as reflecting on, the position of the system.

49.02 Consulting and Paid Professional Service

Full-time members of the faculty and professional or administrative staff may engage in external consultation or other paid professional services, provided such activities benefit the system and contribute to the professional development of the individual. This privilege is subject in all instances to the conditions set forth below. Failure to comply with this policy may subject an employee to disciplinary action including reprimand, suspension, or termination.

49.02.1 The first responsibility of the individual is to the system, and outside professional commitments should not interfere with the person's full-time responsibility to the system.

49.02.2 No outside obligation should result in any conflict of interest involving the individual's responsibilities to the system or to its programs, policies, and objectives. Consulting and other professional agreements that represent actual or potential conflicts of interest must be avoided.

49.02.3 Use of system facilities, space, equipment, or support staff for consulting or other paid professional activities is permitted only if a financial arrangement has been concluded between the individual and the administration prior to the employee's beginning the outside consulting or other paid professional service.

49.02.4 Individuals may not represent themselves as acting in the capacity of system employees when conducting consulting or other paid professional activities. The system bears no responsibility for any actual or implied obligations or liabilities incurred by the individual resulting from a consulting or other paid professional agreement or activity.

49.02.5 Faculty who wish to arrange consulting or other paid professional activities must provide prior written notification to their dean. Review by their dean of such activities will include consideration of any real or apparent conflict of interest and the benefit of the proposed service to the system and the component university. Each faculty member who engages in consulting or other paid professional service, including teaching on a temporary basis at other institutions, must ensure that such activities do not require commitments of time averaging more than one day per calendar week, and must arrange such activities so as not to interfere with regularly scheduled classes.

49.02.6 Professional or administrative staff who wish to arrange consulting or other paid professional activities must obtain prior written approval from the appropriate supervisor. While consulting is a recognized aspect of faculty activities with the limitations noted in this document, consulting by professional or administrative staff must be justified on an individual basis by clear and direct benefit to the system.

49.02.7 When any of an individual's salary is paid from funds for externally sponsored activities, the time allowable for consultation or other paid professional activities must comply with sponsor requirements.

Unpaid public service is not included in this policy, nor are occasional lectures that include fees, unless these activities require significant amounts of time or otherwise conflict with regular system obligations.

Each president and the chancellor will establish a process for monitoring outside paid professional activities of their faculty and staff in order to ensure that such activities are consistent with the above policy and also serve system purposes. The chancellor will report to the board annually on such activities.

49.04 Dual Employment

The board must give its approval before any officer of the system or its component institutions may hold other nonelective state or federal office or position of honor, trust, or profit. Approval must include formal findings that the dual office holding is of benefit to the state or required by state or federal law, and creates no conflict of interest. The board delegates to the Chancellor the authority to approve such dual office holding by any system employee who is not an officer of the system or its component institutions.

49.07 Nepotism

Relatives of members of the board or the chancellor shall not be employed by the system unless the employment took place at least one year prior to the appointment of the board member or the chancellor. Relatives of other system employees shall not be employed by the system in positions where the employee has the official authority to hire or recommend or approve the hiring, salary, or promotions of the relative.

Relatives shall not be employed in the supervisory-subordinate relationship even if it results from marriage after the employment relationship was formed. The provisions of this policy apply to all system programs regardless of funding source.

For the purposes of this policy, the term "relative" is defined as anyone related to the employee within the second degree of affinity or the third degree of consanguinity and includes the employee's spouse and the employee's or the spouses' parents, grandparents, great grandparents, brothers, sisters, half brothers and sisters, children, grandchildren, great grandchildren, aunts, uncles, nieces, nephews, first cousins, second cousins, and persons married to them.

49.08 Conflicts of Interest

All members of the board and employees of the system and its component institutions shall adhere to and be furnished a copy of the Statutory Standards of Conduct for State Employees, Section 572.051, Texas Government Code, and shall avoid conflicts of interest, generally described as the use of one's university employment or position to obtain unauthorized privileges, benefits, or things of value for oneself or others, including the following:

49.08.1 No board member or employee shall solicit, engage, or agree to accept any privilege, benefit or thing of value for the exercise of his or her discretion, influence, or powers as an employee or regent, except as is allowed by law.

49.08.2 No board member or employee shall accept any privilege, benefit, or thing of value that might influence him or her in the discharge of his or her duties as an employee or regent.

49.08.3 No board member or employee shall use his or her position to secure special privileges or exemptions for himself or herself or others, except as is allowed by law.

49.08.4 No board member or employee may be an officer, agent, employee, or member of, or own an interest in a professional activity that foreseeably might require or induce him or her to disclose confidential information acquired by reason of his or her system position.

49.08.5 No board member or employee shall accept employment or engage in any business or professional activity that foreseeably might require or induce him or her to disclose confidential information acquired by reason of his or her system position.

49.08.6 No board member or employee shall disclose confidential information gained by reason of his or her system position, nor shall he or she otherwise use such information for his or her personal gain or benefit.

49.08.7 No board member or employee shall transact any business for the system with any entity of which he or she is an officer, agent, employee, or member, or in which he or she owns a significant interest.

49.08.8 No board member or employee shall make personal investments in any enterprise that foreseeably might create a substantial conflict between his or her private interests and the system's interests.

49.08.9 No board member or employee shall accept other employment that might impair his or her independence of judgment in the performance of his or her system duties.

49.08.10 No board member or employee shall receive any compensation for his or her services to the system from any source other than the State of Texas except as is allowed by law.

49.08.11 No board member or employee who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions shall solicit, accept, or agree to accept any benefit from a person or entity the employee knows or should know is or is likely to become financially interested in such transactions.

Failure of any employee to comply with the foregoing shall constitute grounds for discharge or other disciplinary action.