

AFTPE Procedures

I. Overview

The committee on Academic Freedom, Tenure and Professional Ethics (AFTPE) is a committee of the University Senate and its primary accountability is to that body. Members of AFTPE are appointed by the Chair of the Senate Agenda Committee. Faculty at all ranks are eligible. Members are usually senators, but faculty who are not in the Senate may serve on the committee. Ideally, members are drawn from all of Syracuse University's schools and colleges in proportion to faculty size, and the committee will have 15-17 members. The Committee shall be led by a Chair or co-Chairs elected by the committee from among the committee's membership.

AFTPE's role is to ensure a faculty voice in decisions and actions at the university that implicate the academic rights, freedoms, and responsibilities of faculty. In particular, AFTPE's mission is to safeguard the principles of academic freedom, tenure, and professional ethics at the university. For definitions and context, AFTPE relies on the [Syracuse University Faculty Manual](#), and in particular, Section 2 (Appointments, Promotions, and Tenure), Section 3.51 (Academic Freedom), and Section 4.1 (Inappropriate Conduct by Faculty Members). It also relies on the [Syracuse University Code of Ethical Conduct](#), as well as the principles of academic freedom established by the [American Association of University Professors](#) (AAUP).

AFTPE conducts investigations into alleged violations of academic freedom, the rights of tenure, and professional ethics. Additionally, the AFTPE is sometimes asked to review University documents or procedures related to faculty rights and responsibilities.

Complaints may be brought directly to AFTPE by any member of the university faculty. In addition, AFTPE plays a consultative role on investigations of certain complaints submitted elsewhere by university students, staff, or faculty alleging misconduct by faculty. Procedures for handling such complaints from students or staff are provided in the Faculty Manual. AFTPE does not investigate alleged misconduct by students or staff; these are handled by other units.

AFTPE does not have enforcement authority. It provides investigative findings, and where appropriate, recommended sanctions. Except where the Faculty Manual provides otherwise, these recommendations shall be submitted to the Associate Provost for Faculty Affairs.

The AFTPE Committee shall report regularly to the Senate regarding its investigations (in anonymized format) and its reviews of University documents and procedures relevant to faculty rights and responsibilities.

II. Investigation Procedures

A. Submission of Complaints

To initiate an investigation into alleged violations of academic freedom, the rights of tenure, or professional ethics, a faculty complainant should contact the AFTPE Chair to discuss the allegations. The Chair's aim is to advise the complainant about whether and how the complainant's concerns correspond to the Committee's purview. The Chair may consult with the Provost's office, EOIRS, or other relevant university units regarding purview.

The complainant should provide a written complaint to the AFTPE Chair. The complaint should detail their experience, and if possible, state how it fits with the Committee's domain for investigations, as a violation of professional ethics, the complainant's academic freedom, and/or rights of tenure. Supporting evidence such as documents or other materials, which could include emails, text messages or other electronic communication, may be appended to the written complaint. Where appropriate, the AFTPE Chair will request relevant documents from other University offices. The AFTPE Chair may offer guidance and may recommend that the complainant modify the written complaint to clarify the allegations or how the alleged actions correspond to the Committee's area of investigation, or to provide additional supporting evidence. It is the prerogative of the AFTPE Chair to decline a request for an investigation if they deem a complaint to be outside the committee's purview. The Chair shall report any such decisions to the full committee in a timely manner. The AFTPE Committee has the authority to consolidate multiple complaints into a single investigation.

B. Confidentiality of Investigations

AFTPE strives to maintain confidentiality to the extent possible, but the identities of witnesses and other complaint particulars may sometimes be disclosed in the course of investigations, which of necessity involve interviews with individuals having knowledge of the issues under investigation. Committee members do not discuss investigations outside the Committee. AFTPE encourages all parties and witnesses to treat its investigations with appropriate discretion.

The Chair, in consultation with the investigating subcommittee (described below), will determine what information to share with parties implicated in the case. Where the complaint involves one or more named respondents whose faculty rights and responsibilities are clearly implicated, the balance of equities may counsel providing the respondents an opportunity to review and respond to the written complaint. In other cases, for example when concerns about retaliation are present, the balance of equities will counsel keeping the written complaint in confidence and/or de-identifying references to certain witnesses.

C. Recusal Standards

Committee members will recuse themselves from discussion, deliberation, and votes on any cases for which their impartiality might reasonably be questioned, due to prior relationships

with any of the named parties. For example, Committee members should generally recuse when they have personal friendships or family relationships with any of the named parties. Recusal is also generally warranted when a committee member or any members of their family are from the same academic unit as any of the named parties. Recusal decisions shall be made by individual committee members themselves in the first instance, or at the request of the Chair, a majority of the Committee may direct a member to recuse.

D. Initiation of Investigations

If the AFTPE Chair is satisfied that a complaint merits consideration, they will present it to the full AFTPE Committee for discussion and deliberation. (As noted above, if the Chair rejects a complaint as outside AFTPE's purview, they should report on that decision to the full committee in a timely manner.) At the conclusion of this discussion, the Chair will either call a vote on whether to undertake an investigation or initiate a preliminary inquiry to gather additional facts before calling such a vote. The Chair will initiate a full investigation only upon majority vote from the Committee.

E. Investigating Subcommittees

If the Committee decides to investigate a complaint, the AFTPE Chair appoints a subcommittee to conduct the investigation. In forming the sub-committee, the Chair shall take into account factors that may be pertinent for the case at hand, as well as Committee members' experience on previous cases and workload issues. The Chair will notify the complainant that the Committee is undertaking an investigation.

In carrying out its investigation, the subcommittee will typically interview the complainant and all individuals named in the complaint, as well as any other parties it views as relevant to the complaint. Complainants and other parties shall not be accompanied by legal counsel at these interviews, though they may bring one (non-attorney) support person to act as silent observer.

To ensure a comprehensive investigation, access to electronic communication, documents, and other materials relevant to the case may be required. Documents may be needed from the complainant, administrators, or other individuals with information relevant to the complaint. While investigations should be conducted as expeditiously as possible, they must also be thorough and fair. As such, the investigation is open-ended and will conclude only when the subcommittee has obtained sufficient information to reach a conclusion in the case.

During the course of the investigation, the subcommittee chair and/or members will report on the progress of the investigation to the full Committee and may seek the Committee's advice and feedback on issues pertaining to the case. Relevant documents and interim reports of the sub-committee's progress will be shared with all non-recused members of the Committee.

At the conclusion of the investigation, the subcommittee will draft a report detailing its findings and recommendations. The aim of the report is to provide a principled record of the case. To

this end, the report will 1) review the complaint, 2) lay out the methodology followed by the subcommittee in undertaking its investigation (with identifying details redacted as needed to address potential retaliation concerns), 3) lay out the subcommittee's findings on each of the points raised in the complaint, 4) summarize the findings and recommend remedies, if appropriate. The subcommittee will present a copy of its report to all non-recused members of the full AFTPE Committee for review.

F. Committee Deliberations

AFTPE Committee members may make recommendations for further fact finding or revisions to the report. Once these recommendations have been addressed, the AFTPE Chair, in consultation with the subcommittee, shall prepare a final report, including findings and recommendations. The Committee then votes on whether to approve the report.

Once the final report and recommendations have been approved by the AFTPE Committee, the AFTPE Chair will submit them to the Associate Provost for Faculty Affairs, except where the Faculty Manual specifies an alternate recipient. The Chair shall provide copies to the complainant and any additional relevant parties whom the committee determines should receive the report. It is the prerogative of the Associate Provost (or alternate recipient) to decide whether or not to accept and implement – in full or in part – AFTPE's recommendations.

Once the report has been submitted, it is considered final. If the Associate Provost or Provost would like to meet with the Committee to discuss the Committee's report, the Committee will meet with them.

Adopted Spring 2020.
Revised 9 June 2022.