The UNLV Faculty Sen	ate Academic Freedo	m and Ethics Comr	mittee had a product	ive 2022-2023

University Libraries	Andrea Wirth	July 1, 2024
College of Sciences	Satish Bhatnagar	July 1, 2024
College of Urban Affairs	Darwin Morgan	July 1, 2023

The Faculty Senate Academic Freedom and Ethics committee was charged with investigating and reporting back to the Faculty Senate on the processed and protections afforded to faculty members accused or grieved by a student or others by Shannon Sumpter, Faculty Senate Chair (2021-2022).

During the first year of this charge, the committee learned that some administrators might keep documents generated from complaints against faculty that are never investigated or determined to be unfounded. As these documents aren't official university documents, we have come to call them "shadow documents." The complaints could include the following: teaching methods, class management, inappropriate mentoring advice, grades, unethical research, plagiarism, nepotism, inappropriate relationships, discrimination, and harassment.

In Fall 2022 we added the following questions to our charge – What are state records? Are shadow documents? What Bylaws or policies related to the management of these documents exist? We emailed and interviewed several university employees and performed internet research to address our charge and to answer the additional questions we found to be related.

## - Phil Burns

Extensive records management program used. It is designed based on professional standards for Student Conduct Offices. Others at the university seeking to improve their unit's records management policies and procedures may wish to investigate similarly relevant professional standards for their offices.

Do chairs/deans ask Phil if they see a pattern of student complaints against particular faculty members? No

Do they notify chairs/deans when students complain about professors? No but they do tell student about how to file a complaint, with the specifics depending on the nature of the complaint.

## Sam Fugazzotto

There are no records training provided by his office. He is planning to create a training for employees in general, but not for chairs/deans/unit directors/ provosts in particular.

Sam noted that he hasn't worked on a personnel file yet.

If an anonymous call came in about a professor engaging in XXXXXX, the anonymous comment could be part of a Freedom of Information request (FOIA) and thus it could wind up being reported to the public, but due to the anonymous nature of the caller, it legally shouldn't be in the personnel

file. How would the professor be notified of the information and that it had been reported as a Freedom of Information request? Thus, there are conflicts that would need to be resolved.

The job of Records Retention Officer is currently held by the same person that is the Registrar. As a Dreschiolity, it\_see in solthes of the control of the

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such information should be managed.

: Unit (i.e., College, Department, Center, Human Resources) Records Retention

Policy

Definition of performance versus conduct.

Record categories (i.e., those sent to HR, sent to Title IX office, and kept in Unit). Responsibility for maintaining a unit's records.

How long to store records prior to destruction or archiving records including those containing accusations against faculty found to be unfounded or not investigated. Process for turning over records from one to another unit administrators.

Ramifications for not managing records according to policy, including disposing of "shadow" records.

4. – UNLV needs a code officer to interpret current Bylaws and policies and assist units with writing new ones and modifying existing ones.

Administrative Code Officer

Function: Explains and interprets the NSHE and UNLV codes for faculty and administrators. Should be an attorney, but the position should be independent of the Office of General Counsel. We had one (Marc Cardinalli sp?) until about 2005. He was indispensable

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