

## QU Faculty Professional Conduct By-law

*(This is as true as possible translation, and only the Arabic version is the official document)*

### section (1)

In execution of this bylaw, the following terms shall have the meaning assigned to them hereunder:

- A- **University:** Qatar University
- B- **President:** Qatar University President
- C- **The competent authority:** The President or the Vice President for Academic Affairs.
- D- **Faculty member:** includes professors, associate professors, assistant professors, lecturers, teaching assistants (in the three tracks: research, teaching, and clinical), academic advisors, library specialists, learning support specialists, and those designated or accorded this status.
- E- **Intellectual Property (IP):** the provisions that protect creativity, including inventions, literary and artistic works, designs, logos, labels, marks and pictures (brandings) used in trade, by recognizing the rights of the intellectual property owner and enabling him/her to obtain a financial benefit from the innovation or invention. The IP includes the following: patents, copyright, trademark, service mark, trade secret , integrated circuit marks, research data, new plant varieties or plant variety protection certificate , or ownership of tangible research data, physical embodiment such as a model , device , machine , design , apparatus , instrument , circuit , and computer program, visualization representation, biological or chemical materials, or any other composition of matter or plant that originates in or relates to academic or research activity.
- F- **Crimes involving moral turpitude or dishonesty:** crimes that occur due to faculty moral weakness and deviation from the normal norms of character, taking into account nature of the job, duty of the faculty, fiducial position, circumstances of the crime, acts constituting the crime, and the extent to which the crime was affected by lusts, whims, intention, deliberation and bad behavior affecting his or her job. Crimes against honor and honesty include, but not limited to, bribery, breach of trust, theft, fraud, perjury, forgery and use of documents, forgery, and imitation of seals, marks and stamps .

- G- **Degree of Kinship:** kinship up to the fourth degree.
- H- **Professional Conduct Committee:** Committee responsible to investigate on cases where professional misconduct is alleged
- I- **Appeal Review Committee:** Committee responsible to review appeals against sanctions issued by the Vice President for Academic Affairs, and to issue respective recommendations to the President.
- J- **The Committee:** means QU Faculty member Professional Conduct Committee and the Appeal Committee in their general provisions.
- K- **Harassment:** means any threatening psychological, sexual, verbal, or physical behavior. It includes a variety of acts ranging from minor misconduct to severe harassment. According to the provisions of Articles 290 to 293 of the Penal Code, harassment includes every act that constitutes an offense of shameless and indecent acts.
- L- **Disclosure of confidential information:** Disclosure of information that is not in the public domain and which a faculty obtained during his/her work at Qatar University to a third party, which he or she knew or ought to have known might cause harm to Qatar University, its employees, faculty, students, or to those dealing with the University.
- M- **Outside Activities:** Paid tasks performed by the faculty member conducted outside of the University.
- N- **University Campus:** The University's land, facilities, educational venues, halls, laboratories, libraries, gardens, playgrounds, university housing, and others.

## **section (2)**

Faculty member Professional Conduct is governed by the provisions and procedures as prescribed in this document.

### **Chapter (1): Faculty member Conduct**

#### **Part (1): Duties of Faculty member**

## **section (3)**

Faculty must abide by the provisions, laws, by-laws, decisions, and regulations applicable in the University in addition to University norms and traditions including but not limited to the following:

1. Carry out their duties by themselves precisely and honestly.

2. Observe integrity, honesty, and justice in words, language, speech and acts or deeds.
3. Adhere to official class schedule and dedicate work hours to perform the job duties.
4. Maintain dignity and high reputation in work.
5. Co-operate with their superiors, colleagues, and with the various University committees whenever requested.
6. Safeguard the University's property and abide by all rules and instructions regarding their use.
7. Demonstrate conduct that protects their and others' health and safety.
8. Avoid conflict of interest by, taking immediate measures to end all evaluation or supervision activities related to those of kith and kin, financial or moral interests, or refrain from assuming duties, which would place them in a conflict of interest situation.
9. Show respect to others and appreciate their contributions.
10. Demonstrate objectivity and integrity when evaluating others' performance.
11. Evaluate students based on objective and fair criteria reflecting academic performance and no other consideration .
12. Dress decently on campus in accordance with University norms and traditions.

#### **section (4)**

Faculty shall not violate University laws, regulations, decisions, and norms. In particular, faculty shall not:

1. Violate order on campus.
2. Commit any act or omission that conflicts with requirements, duties, or responsibilities of his/her job, which results in loss of any right of the State or the University.

3. Disclose any information to which he had access or otherwise privy to by virtue of his work, or circulate any documents, considered as confidential based on their nature or on specific instructions, without written permission by the President. This obligation shall remain in effect after the faculty leaves QU.
4. Engage in a **Crime involving moral turpitude**.
5. Infringe IP rights.
6. Misuse of authority over students, or over anyone working under faculty supervision, other faculty members, University employees, to harm others or attain personal interests.
7. Defame the reputation of University, or that of its faculty members, staff, or students.
8. Consent to relationships that are not in line with professional and academic standards with any University's community member.
9. Engage in any act that would create a conflict of interest between faculty activities and the University's interests and projects that would directly or indirectly affect faculty interest or the interest of one of his kin up to the fourth degree.
10. Harassment.
11. Intentional violation of the University's policies and By-laws.
12. Intentional assistance to others to violate the University's policies and regulations or help them to escape sanctions.
13. Misuse of the University assets, equipment, facilities, funds, or human resources.
14. Carry out outside activities without notifying dean of the college or the competent authority.
15. Include false information in content, research findings, statistics, surveys, reports, or documents.

16. Remove or impede others' efforts for personal interests or for interests of those with whom faculty has personal or family relations or financial or moral interests.
17. Undertake, act, or speak on behalf of the University and its colleges, departments, employees, colleagues or students, without prior authorization from the respective authorities.
18. Commit any act of retaliation against complainants, witnesses, or members of the Professional Conduct Committee or Appeal Review Committee
19. Making a false complaint about another faculty misconduct, insulting or harming him/her.
20. Accept gifts, donations, tips, favors or any similar acts personally or through others, for doing his/her job or duty.

### **section (5)**

A faculty is liable for action or omission that forms a violation of this by-law based on a directive issued by faculty manager. If the faculty member proves that the violation was committed based on a written directive issued by his/her manager and the faculty notified his/her manager in writing about the violation. The liability here rests with the manager, unless the directive involves a crime. In this case, the faculty is criminally liable.

### **Part (2)**

#### **Investigating Violations of the faculty Professional Conduct, Sanctions and the Competent Authority for its Implementation**

### **section (6)**

The Appropriate authority may impose one of the following sanctions:

1. Oral warning.
2. Written warning.

3. Deduction of maximum of 15 days salary for each misconduct. In all cases, deduction should not exceed two months' salary per year.
4. Withholding of promotion for a maximum of one year.
5. Withholding of the annual increase for one year.
6. Suspension from work with half-pay for a maximum of three months.
7. Termination of the contract.

### **section (7)**

The following authorities are competent to impose sanctions:

1. The Vice President for Academic Affairs can impose any of the sanctions prescribed in sub-section 1 - 6 of section 6 of this by-law.
2. The President may dismiss the incident or impose any of the prescribed in section 6 of this by-law.

### **section (8)**

If the competent authority decides to terminate the faculty contract during his suspension, termination of service shall date back to the date of suspension.

### **section (9)**

Any faculty held in pre-trial detention, or in execution of a judicial order or injunction, shall be suspended from work for a period equivalent to the period of faculty's detention. Faculty salary shall be paid in full in the first case, and half of the basic salary in the second case. On faculty return to his job, faculty case shall be referred to the President who will determine whether to refer/or not the faculty to the Committee.

### **section (10)**

The University's Vice President for Academic Affairs annually forms the Faculty Professional Conduct Committee. The committee includes three faculty members and a stand-by member who will take the place of one of the members in one of the following cases:

- a. Occurrence of a conflict of interest, including a kinship degree between a committee member and a faculty summoned for investigation
- b. The inability or decline of one or more of the three members to attend the meeting.

The Committee members shall have the necessary experience and knowledge to address issues of misconduct. The committee is chaired by an experienced faculty at the rank of professor. One of the committee members shall be a jurist.

### **section (11)**

The President forms an annual Grievance Review Committee to look into the grievance appeals. Committee shall comprise three members in addition to a stand-by member who will replace any committee member who fails to attend Committee meetings as the case is in section 10 of this By-law.

Committee members shall have the necessary experience and knowledge to address issues of misconduct. One of the Committee members shall be jurist.

### **section (12)**

If a Committee member believes that the alleged violation of the Professional Conduct By-law includes a conflict of interests that prohibits the member from addressing the allegation, the respective member shall notify that in writing to the appointment authority within five working days from the date on which the Committee received the investigation request or appeal. Committee member shall state in his request the justifications for his/ her recusal or relief from Committee membership or chairmanship.

The competent authority shall decide on that request within five working days, effective from the date of its submission. The stand-by member shall replace the recused member, upon acceptance

of the request. The oldest member chairs the Committee in case that the recused member is its chair or when the position becomes vacant for whatever reason.

### **section (13)**

When a committee member is replaced, the stand-by member will be a genuine member until the violation for which the replacement took place is closed. Committee genuine members remain as they are when conducting other misconduct investigations.

### **section (14)**

Committee investigation sessions shall be confidential. Failing to observe this rule may make Committee members accountable.

### **section (15)**

Committee recommendations shall be reasoned, signed by Committee chair and members, and must be referred to the competent authority for endorsement.

## **Chapter (2): Professional Conduct Procedures**

### **Part (1): Procedure relating to professional Conduct violations**

### **section (16)**

The Professional Conduct Committee conducts investigation of misconduct attributed to a faculty member upon decision by the competent authority referring the violation to the Committee.

### **section (17)**

The Committee shall begin investigation within ten working days effective from the date on which a competent authority refers a violation committed by a faculty. The committee issues a

reasoned recommendation. Accordingly, the Professional Conduct Committee takes one of the following actions:

1. If the Committee is convinced that that there is no violation of the Professional Conduct bylaw, the Committee recommends ending all the procedures related to the investigation referral decision, and the Chair of the Committee shall inform the competent authority thereby.
2. If the Committee is convinced that there is a suspicion of Professional Conduct rules violation, the Committee Chair shall inform the concerned parties about the date and place designated for the hearing session.

### **section (18)**

The President, after consulting the Vice President for Academic Affairs, may preventively suspend the faculty referred to the Committee from work if that turns to be in the interest of investigation. Suspension will be for a period not exceeding sixty days, but extendable, upon a decision by the President, based on a recommendation made by the Committee if the investigation exceeds the period stated in section (16) of this bylaw.

Suspended Faculty receives half pay effective from the suspension date, unless the President decides to pay the full salary upon a recommendation by the Committee. If the President does not decide on that within two weeks of the suspension date, full salary will be paid to the suspended faculty unless the President determines otherwise.

If it is decided that it is useless to continue with the complaint or dismiss it, or to impose the sanction of a verbal or a written warning, the suspended amount from the salary shall be

reimbursed to the faculty. However, if a more severe sanction is imposed, the competent authority who inflicted the sanction shall decide about the suspended amount from the salary.

### **section (19)**

Before starting an investigation with a faculty, s/he must be notified in writing to show up for investigation. The summons for investigation must include the following information:

- a) Faculty full name.
- b) Place of work at the University.
- c) Allegations of misconduct
- d) Date and place of investigation.

### **section (20)**

To carry out its mission, the Committee may take the necessary measures to ensure the integrity of the investigation, including:

1. Review all records and documents that are deemed necessary for the investigation, even if they are confidential, and attaching copies or extracts therefrom in the investigation file.
2. Hear witnesses and assign experts to examine the matter under investigation and issue reports about it.
3. Request opinions of relevant individuals.
4. Form any work team deemed appropriate to render an opinion on facts related to the investigated subject.

### **section(21)**

The Committee may, during the hearing session, review the evidence and question the parties and witnesses. All parties shall present their statements and arguments during the hearing sessions. All questions and comments shall be directed to the Committee. The person under investigation has the right to request the presence of licensed lawyer in the State of Qatar.

The Committee designates dates of all phases of hearing sessions. Content of each hearing session shall be documented separately.

### **section (22)**

No sanction shall be imposed on a faculty prior to the conduct of an investigation, hearing and examination of his/her defense. If the faculty does not show up for the second time on the investigation-designated date, s/he will miss the right to hear his/her statements, and the Committee shall continue to fulfil its mission, as it deems appropriate.

### **section (23)**

In the event that an affiliate of Qatar University declines to attend a hearing session as a witness, without an acceptable excuse by the Committee, despite having been notified about the session's date and venue in writing; or if that affiliate attends but refrains from giving his testimony without an acceptable excuse, or if he gives a forged testimony, the Committee has the right to refer him/ her, to appear before the competent authorities. If that affiliate is a faculty, the Committee may, after investigating him/her, recommend an appropriate sanction for the violation s/he committed.

The summoned affiliate shall be relieved from attendance as a witness if s/he has a kin relationship with the person under investigation.

## **section (24)**

If the Committee discovered, through the investigation, a suspected crime commission, the chair of the Committee shall send a reasoned recommendation to the President to inform the Public Prosecutor's office. Notifying the Public Prosecutor's office does not affect the University's right to impose additional sanction on the faculty, unless the criminal proceedings outcomes have an effect on the case investigated.

## **section (25)**

After the hearing session, the Committee shall prepare a report including a complete narrative of the claims, evidences, witnesses, and conclusions. The report shall contain a recommendation to the effect that either the violation was not proved or established, or in case the violation was proved, the report must recommend the imposition of sanctions. The report shall show the logical, factual and juridical bases of the recommendation.

The Committee shall issue its recommendations by majority vote in imposing any of the sanctions stated in section (6), except for the recommendation terminating a faculty contract, in which case a unanimous vote is required.

## **section (26)**

The Vice President for Academic Affairs shall respond to the Committee's report within fifteen working days. If the Vice-president does not approve the recommendations, s/he meets the Committee to discuss the reasons behind the disapproval of the recommendations before taking any further action.

The Vice-president may approve, mitigate the recommended sanctions or exempt the faculty from them.

### **section (27)**

The Vice President for Academic Affairs shall explicitly state the penalty s/he decided to inflict. S/he shall communicate his decision to the Chair of the Committee, the respondent, Dean of the College/ Director of the Research Center where the respondent works.

### **section (28)**

Violations will be removed from record after three years from its occurrence date, or from the date of the last procedure taken by the respondent or the University in that respect. However, if the violation is related to a crime, period for the crime removal from record shall be used as a criterion for removing the violation, delict, or felony, as the case might be.

Moreover, IP infringement violations will not be removed regardless of date of their occurrence.

### **section (29)**

1. Sanctions stated in sub-sections (1) to (5) of section 6 imposed on a respondent will be removed from record after three years from the date on which they were inflicted.
2. Sanctions stated in sub-section (6) of section 6 imposed on a respondent will be spontaneously removed from record after five years from the date on which they were imposed.
3. Removal of sanctions will render them as non-existent in the future and will remove any reference to it in the faculty record. However, clearing up sanctions does not affect any rights and compensations resulting from them.

## **Part (2)**

### **Appeal Procedures against Decisions of the Competent Authority**

#### **section (30)**

Respondent may appeal against sanctions inflicted to him/her within sixty days of notification. Appeal against the decision imposing sanctions issued by the competent authority, must be submitted to the President, who, refers the appeal to the Appeal Review Committee. The appeal shall state the specific reasons upon which appeal is made in addition to any other supporting evidence.

#### **section (31)**

The appeal Committee shall review the grievance appeal within 20 working days from the referral date. The appeal Committee can obtain all the documents related to the appeal. The appeal Committee reviews the documents, prepares and submits recommendations to the President. The Committee's report shall affirm, or reverse the misconduct evidence. If the misconduct is affirmed, recommended sanctions shall remain in effect, or the Committee might recommend mitigating them. The report shall show the logical, factual and juridical bases of the recommendation.

#### **section (32)**

The President finally determines whether to reject the appeal and continue to impose the sanction, or accept the appeal and impose a mitigated sanction, or accept the appeal and exempt faculty from the sanction.