

Code of Ethics and Professional Behavior
Akamai University
Revised: 22 October 2008

Section 1 - University's Position Statement

At Akamai University, the quality of staff and faculty is determined not only by the academic and career qualifications individuals bring to the job position but also by the quality of their professional contributions and personal interactions after their appointment. The following code of ethics and professional behavior is established as a policy guide to assure quality in the ethical and professional behavior of staff and faculty.

The excellence of human interaction within the institution is foundational to the success of our programs and services and is directly proportionate to the quality of our experience as members of a University community. Therefore, it is the intention of the University Administration to foster a management climate and operational environment that is conducive to effective interpersonal relations, attitudes of mutual respect, and unselfish involvement, assuring the highest of moral and ethical behavior at all levels of the University community. By upholding this code of ethics and professional behavior the University intends to empower staff, administration, and faculty with a sense of community that sustains, stabilizes and strengthens the institution, giving free voice to all members of the Akamai community.

Section 2 - Code of Ethics and Professional Behavior

All members of the University community are expected to abide by the following standards while engaged in activities or communications relative to the institution.

2.1 Courtesy, Patience and Understanding

In all dealings with other staff and faculty members, act in an appropriate professional manner, with courtesy, patience and understanding.

2.2 Encouragement and Support

Build attitudes of encouragement and support, whereby all members of the University community are improved and educated through your interactions.

2.3 Excellence and Professionalism in Our Work

Strive for excellence in your work and professionalism in all of your duties.

2.4 Written and Verbal Communication

Establish effective written and verbal communication both within the University offices and to constituencies outside. In all of your Akamai activities and dealings, reflect represent for the University, which is an institution of learning, education and research.

2.5 Dignified Work Environment

Maintain a dignified working environment, whether virtual or physical, within the University working environments.

2.6 Respect for Others

Treat all students and faculty members with respect, value their contributions, and be fair and just in your relations with them.

2.7 Disruptive Behaviors

Refrain from disruptive behaviors that interfere with the conduct of University activities and the responsibilities and working practices of others.

2.8 Offensive Actions

Avoid abusive language, unkind insinuations, rude name-calling, profanity, and overly critical and intentionally offensive actions relative to all University activities.

2.9 Attitudes of Community

Build attitudes of support and community rather than ridicule, control and isolation, whereby all members of the Akamai community are appreciated for their contributions to the University.

2.10 Supportive Dialogue

Establish effective dialogue with all members of the institution and avoid gossip, abusive, subversive and underhanded interactions. Find peaceable solutions to all conflicts and resolve the foundational causes of conflict. Seek to resolve conflict through internal open dialogue in a rational formal manner for the mutual growth and development of all involved.

2.11 Serving Character of the University

Act at all times in a manner, which strengthens the character and good name of the institution, seeking solutions for its improvement rather than drawing upon insufficiencies, failures, or weaknesses.

2.12 Supporting Your Superiors

Abide by the wishes of your superiors, responding with understanding and in a manner that builds effectiveness and brings about viable solutions, never shedding a debilitating light upon the actions or manner of the superior, by mass distribution of negative communications or postings, but bringing differences of opinion to the superior in a confidential and written manner.

2.13 Abuse of Your Position

Avoid using your status or position at the University to gain unethical influence or control over any individual within or outside of the institution. Do your best to act in a kind manner in your direction of your subordinates and in your dealings with your peers, with an open line of communication even during conflict, never lording over them or ridiculing their actions, but always coaching, encouraging, and instructing them in such a manner as to draw out their best performance and continued voluntary contributions. Seek out advisement from your University superiors during times of conflict, making all decisions in dialogue with superiors and with unity and counsel from co-faculty.

2.14 Following University Procedures

Follow the published policies and procedures of the University within the spirit of which they were written. Uphold your responsibilities to your students and fellow faculty members completely and to the best of your ability, and make all decisions and take all actions within the spirit of this professional code, fulfilling your responsibilities willingly at the highest level of integrity and according to the standards of the University.

2.15 Avoidance of Unfair Handling of Complaints

Refrain from any practice that can be viewed as an unfair or improper action in response to a complaint held by or placed against a member of the Akamai faculty. This includes such unfair and improper practices as making telephone call, posting sending of mass emails in support of or to present as case against or in favor of a concept, idea, policy, or action by a member of the Akamai community.

Section 3 – Procedures for Disciplinary Reviews

Any member of the University community may raise an issue or make a complaint against a member of the Akamai faculty, provided that the published procedures are strictly followed.

3.1 Overview of Disciplinary Process

Akamai University shall not discharge, suspend, or reduce, withhold or deny the compensation of any faculty member for disciplinary reasons, or take other actions of a disciplinary nature, except for proper cause and in accordance with the procedures set forth in this policy statement. While all matters under this policy, including investigations, shall be considered confidential, information pertaining to disciplinary actions may be subject to disclosure under University and governmental provisions.

3.1.1 Receipt of Written Complaints

Any member of the University community, including students, faculty, staff, alumni, and the staff and administrators of affiliates under active memorandum of agreement with the University, may submit a formal written complaint against any active member of the University faculty. The written complaint may be submitted to the President, Vice President, or any active member of the Board of Directors, by post, fax or scanned email attachment, addressed to the University headquarters in Hawaii, or the Board members home or employment address and carrying the signature of the complainant. The recipient of the written complaint is responsible to notify the University President immediately by email or telephone and to send by appropriate means complete copies of all documents received to the President at the University within two weeks of receiving the documents.

3.1.2 Preliminary Review of Written Complaints

It is the responsibility of the President or the Vice President, if so assigned, to review the written complaint and make a preliminary determination if there is sufficient evidence of concern to bring the matter for disciplinary action. The task of the preliminary review is to identify the areas of the code of ethics and professional behavior that may have been broken by the faculty member in question. It is the responsibility of the President or Vice

President (or the appointee of the Board of Directors) to make an initial judgment and notify in writing the faculty member and the individual submitting the complaint whether the complaint will be submitted for further formal review and possible disciplinary action, including suspension or dismissal.

3.1.2.1 Informal Negotiations

The accused (or abused) individual is expected to first attempt to work out minor problems or disagreements through communication and informal negotiation directly with the individuals involved. The accused (or abused) individual will need to send a letter or other written communication to the appropriate individuals clearly outlining the nature of the disagreement and giving the full history. Keep copies of all communications and essential documents in case administrative intervention becomes necessary.

3.2.2.2 Administrative Intervention

After having first made every effort to negotiate the dispute with the involved parties, if the accused (or abused) faculty member remains discontent with the way things are progressing, the accused (or abused) faculty member will need to address a formal letter to the President clearly presenting the facts as known, and requesting administrative intervention to resolve the conflict. The accused (or abused) individual will need to send copies of the letter to all parties directly involved in the dispute. The University President will assess the situation to determine the applicable policies and whether the policies have been rightfully and fairly applied. Every endeavor will be made to resolve the conflict to the satisfaction of all parties.

3.1.3 Temporary Leave

It is within the authority of the President or Vice President, or the appointee of the Board of Directors, as is appropriate, to place any member of the staff or faculty on temporary leave from all duties at the University until such time as the matters of the complaint have been thoroughly investigated and a determination made.

3.2 Formal Administrative Review

If informal negotiation and administrative interventions are non-effective, the President shall undertake a formal review of the information with the written complaint.

3.2.1 Finding for Probable Cause

If, upon review of a written complaint, the President, Vice President, or the appointee of the Board of Directors believes that there is probable cause for the suspension or discharge of a faculty member, he or she shall make a statement in writing of the grounds and the discipline proposed and have such statement served upon the faculty member by registered or certified mail to the faculty member's address of record. Once the charges in the written statement have been made they shall not be subject to additional charges unless the new charges are based on the discovery of new evidence. A copy of such statement shall also be made part of the faculty member's permanent archival record.

3.2.2 Answer to Statement

The faculty member may file an answer to the statement with the President, or the Vice President, or the appointee of the Board of Directors, postmarked within fifteen (15) calendar days of the recorded date of receipt of the charges. If the faculty member fails to answer within fifteen (15) calendar days, the University must proceed with the determined action, including suspension or discharge, and such action shall be final and binding.

3.2.3 Appointment of Disciplinary Advisory Committee

If the faculty member files an answer and disagrees with the statement, then the President or Vice President, or the appointee of the Board of Directors may appoint a Disciplinary Advisory Committee to be composed of five (5) members from the faculty unassociated with the complaint. The purpose of the Committee is to provide the President and Board of Directors with a further evaluation of the substance of the allegations through a review of the evidence presented to the Committee by faculty, students, and administrative staff. The Committee may gather statements, and summarize its findings, but the Committee is not charged with evaluating the complaint, holding hearings, or in any other way deciding the matter.

3.2.4 Deliberations of Disciplinary Advisory Committee

The deliberations of the Disciplinary Advisory Committee shall be conducted with the utmost discretion. The committee shall, with written permission from the Board of Directors and with due regard for the sensitive nature of its proceedings, provide the faculty member with written materials in its possession. If, during the course of the deliberations, additional grounds are considered by the Committee, written materials relevant to the new grounds shall be provided to the faculty member. The committee shall proceed in an expeditious manner and conclude its deliberations and file a report with the President, Vice President, or the appointee of the Board of Directors within thirty (30) calendar days after the matter has been referred to it. Additionally, members of the Committee may file individual reports with the President. The President shall provide a summary copy of the Committee report(s) to the Board of Directors and the faculty member either by registered or certified mail. The faculty member may provide a response to the President, postmarked within twenty (20) calendar days of the mailing of the report. The President shall render a decision on the matter after receiving the faculty member's response, if any.

3.2.5 Notice of Possible Suspension of Faculty Member

If the President decides to proceed with the suspension or discharge of the faculty member, the President shall so notify the faculty member of the pending action in writing by having notice served upon the faculty member by registered or certified mail. The action shall not be final until the faculty member has an opportunity to reply in writing. An administrative leave may be imposed in lieu of suspension.

3.2.6 Faculty Member Initiates Formal Grievance

The faculty member may then file a grievance at the level of the President or the Vice President following the published Faculty Grievance Procedure within fifteen (15)

calendar days of the service of the decision of the President. If a grievance is not filed within fifteen (15) calendar days, the President may proceed with the suspension or discharge, and such action shall be final and binding. The faculty member shall not be suspended or discharged during the foregoing procedures, including the grievance procedure, except as provided below. However, the President may temporarily reassign the faculty member, or place the faculty member on temporary administrative leave, if the President believes that the faculty member's continuance may disrupt the operations of the University.

3.2.7 Suspension of Faculty Member

The faculty member may be suspended during the foregoing procedures where the faculty member has willfully failed to uphold duties during the review period.

However, if a faculty member pleads guilty or no contest to, or is convicted of, a felony in a competent court of law, the University may discharge the faculty member if there is an adverse impact on the University or its operations. If the University proceeds to suspend or discharge the faculty member, the University shall make a statement in writing of the grounds and have such a statement served upon the faculty member by registered or certified mail. The faculty member may file an answer to the statement with the President within seven (7) calendar days after receipt of the notification. If the faculty member fails to answer within seven (7) calendar days, the University may proceed with the discharge.

3.2.8 Faculty Request for Reconsideration of Suspension

If the faculty member files an answer and disagrees with the statement, the President shall consider the statement and discuss with the faculty member, as required. The President shall notify the faculty member of his or her decision within seven (7) calendar days after receipt of the faculty member's answer to the statement. Should the President decide to proceed with discharge, the faculty member shall be placed on administrative leave until the grievance, mediation, or arbitration procedures have been exhausted.

3.2.9 Furtherance of the Grievance Process

The faculty member may continue a grievance process within fifteen (15) calendar days following receipt of the notification of the President's decision. Should the faculty member not file for a continuance of the grievance process within the fifteen (15) calendar days, the decision of the President shall become final and binding.

3.2.10 Formal Mediation

Should either party to the dispute remain dissatisfied with the situation following the process of administrative intervention, an attempt shall be made to reconcile the dispute or agreement through formal mediation by one or more chief administrators of Akamai University, or by some other person or persons acceptable to both parties, costs shared equally.

3.2.11 Binding Arbitration

If mediation is not successful, or either party to the dispute remain dissatisfied with the situation, the disputing parties and the University must abide by the results of binding

arbitration costs shared equally. The disputing parties shall attempt to agree upon a single arbitrator. If they cannot agree, both parties shall each choose one arbitrator. The two arbitrators shall together attempt to agree upon a solution. If the two arbitrators cannot agree, they then shall jointly choose a third arbitrator and the decision of a majority of the arbitrators shall be final and binding on all parties.

3.2.12 Resolution of the Grievance Process

The University shall abide by the outcome and decision of the mediator, if agreed to by the parties. If the parties do not reach agreement via mediation, the university shall abide by the results of arbitration and follow the action determined by the arbitrator or arbitration panel. If through mediation or arbitration, a faculty member's grievance is upheld, the faculty member shall be reinstated to the position which the faculty member held prior to the suspension or administrative leave and the University shall abide by the actions dictated by the mediation or arbitration process. If the faculty member's grievance is not upheld, and the decision is against the faculty member, the University President shall take the action dictated by the mediation or arbitration process, including formal suspension from the University faculty.

3.2.13 Confidentiality of Grievance Processes

The University and all parties to a grievance of any kind and at any stage of the process shall maintain all proceedings and information confidential, including the final outcome of the grievance. Should an inquiry be received regarding the outcome of a grievance process for a faculty member not discharged from the faculty, the inquirer is told that all University grievance information is confidential. Should an inquiry be received regarding a discharged faculty member at any time following the grievance process, the University shall make known only that the faculty member was discharged and is no longer associated with the University.