

faculty

engagement in decisions about the appointment to faculty positions, as well as about involuntary separations from the faculty body.

On rare occasions a faculty member may be accused of misconduct or inappropriate behavior serious and/or repeated enough to warrant sanctions, including dismissal for cause. When such accusations arise, it is the policy of the University to attempt to find a mutually satisfactory resolution of the matter through a personal conference between the faculty member and an Appropriate Administrator based on a review of the severity and/or persistence of the behaviors. Absent a resolution, at the final level of the review process, the dean can request that the Faculty Senate Committee on Ethics and Tenure conduct an informal inquiry and make a recommendation to the Provost about whether to proceed with a formal hearing. If the Provost determines that a hearing is needed, a Hearing Committee will be established to review further evidence and make a recommendation to the President regarding its findings.

The purpose of this policy is to outline the process and procedures under which a member of the faculty can incur the imposition of either a Minor or a Severe Sanction, which can result in dismissal from the University.

in their professional capacity as a teacher, advisor, researcher, supervisor or colleague, as outlined in University Policy 2.1, Professional Code of Ethics. As detailed in

University Policy 2.1, dismissal or sanctions cannot be used to restrain faculty members in their exercise of academic freedom.

- a. When reasons arise to address potential Faculty Misconduct, the Appropriate Administrator



k. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where witnesses cannot or will not appear but have made or will make a written statement relating to the matter, the Hearing Committee may determine that the interests of justice require admission of such statement. In such instance, the Hearing Committee will identify the witnesses, disclose their statements, and if possible, provide for interrogatories to be submitted to the witnesses for response in order to clarify any remaining issues relating to the

l. In the hearing of charges of incompetence, the testimony will include that of qualified faculty members from this or other institutions of higher education.

m. The Hearing Committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

n. The findings of fact and the decision will be based solely on the hearing record.

o. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided insofar as is possible until the proceedings have been completed. The President and the faculty member will be given a copy of the record of the hearing.

p. If the Hearing Committee determines that adequate cause for dismissal or Severe Sanctions has been established by the evidence in the record, it will so report to the President. If the Hearing Committee concludes that adequate cause for a dismissal has been established, but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons.

q. If the President rejects the report, he/she will state the reasons for doing so, in writing, to the Hearing Committee and to the faculty member, and provide an opportunity for response. Otherwise, the President may sustain the report or return the proceedings to the Hearing Committee with specific objections. The President may, in the process of his/her review, provide opportunity for oral and/or written argument by the principals or their representatives who participated in hearings before the Hearing Committee. If the proceedings are returned to the Hearing Committee, the Hearing Committee will reconsider the matter, taking into account the objections stated by the President and receiving any new

Nothing in this policy precludes the responsibility of the corporate officers of the University to and/or students.

Questions regarding this policy should be directed to the Office of the Provost.

Means the following faculty leadership roles, progressing from the role most proximal to the rank of the faculty member: department chair, dean, Provost and President, for issues related to faculty when accusations arise that might result in minor or severe sanctions or dismissal of a faculty member. In the case that the Respondent of the complaint serves in one of these administrative roles or has a conflict of interest, an Appropriate Administrator at the next highest rank may appoint a delegate or delegate at the same rank as the Respondent (e.g., the dean can appoint as associate or assistant chair for a department chair who is a Respondent).

means the confidential committee appointed by the Faculty Senate Committee on Ethics and Tenure which can conduct an informal inquiry if requested to do so by a dean or the Provost. It shall not include members of the department(s) involved or any faculty with a conflict of interest with any of the relevant faculty or faculty administrators. It reports directly to the Provost who shall determine appropriate actions after reviewing the Faculty Grievance Committee recommendations.

means any combination of acute or repeated behaviors, actions, and/or communications by faculty members that are unacceptable based on violations of University Policy 2.1, Professional Code of Ethics. Under this policy, misconduct includes, but is not limited to, incompetent or inefficient service; bullying

means the imposition of a sanction for behaviors or actions that the Appropriate Administrator determines do not rise to the level of a hearing. These minor sanctions can include, but are not limited to, the following: ensuring that the person against whom the complaint is made is not called upon to write letters of recommendation or make