Discipline Process and Sanction Review Taskforce

Recommendations

# Charge

To create a safe and respectful working and learning environment, the Provost charges the Discipline Process and Sanction Review Task Force to review the discipline process and sanction structure to ensure clarity and consistency for violations of the Relationship Violence and Sexual Misconduct Policy. Policy violations must be addressed quickly, and appropriate sanctions must be implemented to create an emotionally and physically safe environment for all. This task force will review and make recommendations on the criteria used to assess discipline and the processes used to implement discipline.

# Background

The task force is chaired by Suzanne Lang, Associate Provost Interim Associate Provost and Associate Vice President of the Office of Faculty and Academic Staff Affairs. The task force is a cross collaboration between academic governance, academic administrators (deans and chairs), RVSM Advisory Workgroup, students (COGS and ASMSU), Human Resources, MSU Police, Office of the Provost, Office for Civil Rights and Office of General Counsel. The task force had meetings - April 22, May 13, June 15, August 24, October 7, October 15, October 22, and October 26, 2021.

The common goal was to review discipline best practices, policies, timeliness, consistency, and transparency/communication with stakeholders to ensure a safe and respectful working environment.

# Recommendations

1. **Transparency and Communications Guidelines for Employee Misconduct Cases**

In order to build trust, reflect accountability and foster transparency among the constituency groups for the common goal of improving the culture of MSU the guidelines were developed to be trauma-informed, include stakeholders (students, faculty, community), and consider the impact on those directly and indirectly involved in discipline cases.

1. **Revised Discipline and Dismissal of Tenured Faculty for Cause Policy**

A review of discipline and discipline process for each employee group was analyzed. The review included the discipline processes for each classification and appointment title. Timeliness of the Discipline and Dismissal of Tenured Faculty for Cause was identified as a key critical barrier to ensuring a safe and respectful working and learning environment. The effort to revise the Discipline and Dismissal of Tenured Faculty for Cause Policy is to streamline the dismissal process to a 120-day timeline with the context of being trauma-informed and keep the campus community safe while ensuring due process.

1. **Training for academic administrators and academic governance standing hearing panel members to increase knowledge and create consistency**:

                         1. Trauma-informed – impacts on claimants and how they experience the process

2. Anti-bias training including implicit bias

3. Applicable legal guideposts

4. Due process

5. Discipline and Dismissal of Tenured Faculty for Cause Policy process

6. Transparency and Communications in employee misconduct cases

7. Academic Freedom

1. **Standing Hearing Panel (Appendix I of Discipline and Dismissal of Tenured Faculty for Cause)**

A standing panel of faculty will address timeliness and provide an opportunity for consistency and training.

# Next Steps

The recommendations, after review by the Provost, will go to Council of Deans and Academic Governance for review and feedback. UCFA meets Nov. 16, UCFT meets Nov. 17 and potentially a special faculty senate meeting in December.

The final recommendation and policy would be prepared to go the President and the Board of Trustees for February 11, 2022 meeting.

# Attachments

Task Force

Charge for Discipline Process and Sanction Review Task Force

Discipline Process and Sanction Review Task Force member list

Slides

Flow-Chart Current State Timeline: Dismissal for Cause of Tenured Faculty

Flow-Chart Future State Timeline: Dismissal for Cause of Tenured Faculty

Policy Changes

Discipline Dismissal for Cause of Tenured Faculty for Cause track changes 10-25-21 revised

Discipline Dismissal for Cause of Tenured Faculty for Cause DRAFT Revision to Appendices 10-27-2021

Guidelines

Misconduct Communication Review Process 2021-10-27