

**User's Guide:
Discipline and Dismissal of Tenured Faculty for Cause Policy**

The Faculty Discipline & Dismissal Policy addresses (1) the process that must be followed before a tenured faculty member may be subject to disciplinary action and (2) the process that must be followed to dismiss a tenured faculty member for cause. This User's Guide provides explanation of points contained within both the disciplinary and dismissal sections of the policy for clarification purposes.

DISCIPLINARY PROVISIONS

The Faculty Discipline & Dismissal Policy provides opportunities for a faculty member and unit administrator/dean to discuss potential discipline with a representative or panel from the University Committee on Faculty Affairs (UCFA) before discipline is imposed. The goal of that meeting is to provide both the faculty member and administrator/dean with an unbiased reaction to the situation by faculty members outside of the department and college. This review does not supplant the department chair's obligation to manage personnel issues within the department, nor does it eliminate the faculty member's right to pursue a grievance if discipline is imposed.

The following guidelines are intended to provide clarification for individuals involved in the faculty discipline process. Where both minor discipline and serious discipline are contemplated concurrently, the process for serious discipline should be followed.

Minor Discipline:

Before imposing minor discipline, the unit administrator is expected to meet with the faculty member and discuss the concern and potential for discipline. The faculty member may choose to request a consultation with the department/school faculty advisory committee, its chair, or the chair of the UCFA personnel subcommittee before the unit administrator proceeds with the proposed discipline.

At this consultation, the unit administrator and faculty member should discuss:

- The particular concern that has arisen
- Attempts to remediate the concern (if applicable)
- Any discussions between the faculty member and administrator about the concern
- The rationale for the proposed discipline / reaction to the proposed discipline

Consultation with the department/school faculty advisory committee, its chair, or the chair of the UCFA personnel subcommittee is intended to be an informal dialogue. Therefore, no witnesses will be permitted. No counsel will be permitted unless criminal charges are pending related to the issue at hand.

The consultation provides the faculty member and the unit administrator an opportunity to receive input from a faculty perspective on the concern and the proposed discipline. A formal report from the department/school faculty advisory committee, its chair, or the chair of the UCFA on the consultation is not required.

Serious Discipline:

Before imposing serious discipline, the unit administrator or dean is expected to meet with the faculty member and discuss the concern and potential for discipline. If that meeting does not resolve the issue and notice of disciplinary action is provided to the faculty member pursuant to the policy, the faculty member may choose to respond in writing or request a meeting with the disciplinary review panel of UCFA.

The meeting with the review panel is intended to be a dialogue, not a formal hearing. The faculty member, dean, and unit administrator will be provided an opportunity to explain the situation from their perspective. The meeting will be conducted in accordance with the following guidelines:

1. To the extent that proposed disciplinary action is based on a finding documented in an investigatory report (e.g., OIE, Research Misconduct), the report will be shared with the panel by Faculty and Academic Staff Affairs FASA). Panel members are expected to respect the confidentiality of information contained in the report. FASA may choose to redact student names or other sensitive information from the report if it deems such redaction appropriate.
2. No witnesses will be permitted.
3. No counsel will be permitted unless criminal charges are pending related to the issue at hand.
4. Any documents to be shared with the panel must be provided by the parties to FASA at least 10 days in advance of the meeting. FASA will share these materials with the panel at least 7 days in advance of the meeting.
5. FASA will facilitate the meeting but have no substantive role in the discussions.
6. The faculty member and administrators will each be permitted 45 minutes to present information; additional time may be granted if the panel determines that is necessary. If additional time is granted, equivalent time will be provided to both the faculty member and administrator.
7. At the meeting, the unit administrator/dean will be expected to discuss:
 - a. The history of the particular matter
 - b. History of attempts to remediate the concerns (if applicable)
 - c. History of discussions with the faculty member about the concerns
 - d. The rationale, including any factors used, in making a determination for the proposed discipline
8. At the meeting, the faculty member will be expected to discuss:

- a. The history of the particular matter
- b. Efforts made to remediate the concern (if applicable)
- c. History of discussions with the administrator about the concerns
- d. A response to the proposed discipline

DISMISSAL PROVISIONS

If dismissal for cause proceedings have been initiated in accordance with the policy, the following guidelines are intended to provide additional clarification to the parties and panel:

1. Meetings between the Presiding Officer and the Parties (Section VII.B.1 of the policy) must be scheduled within 14 days of the faculty member's receipt of notice of the written charges. The various items to be accomplished in Section VII.B.1 may occur at separate meetings. In other words, it is not expected that one meeting will cover all of the tasks.
2. FASA will provide the panel with any evidence submitted by the parties before the start of the hearing. It is expected that the panel will have reviewed the materials prior to the start of the hearing. If one party chooses not to submit evidence, the other party's materials will still be provided to the panel in advance of the hearing.
3. When submitting its documents in advance of the hearing, a party must include a copy of any power point presentation or other material that will be presented at the hearing.
4. No party may submit documents or information to the panel at the hearing unless such information was previously unavailable to the party and the party made good faith efforts to discover the existence of the material prior to the date materials were due.