

The University of North Texas at Dallas Policy Manual	Chapter 6.000
6.011 Faculty Discipline and Termination Policy	Faculty Affairs

Policy Statement. The ultimate and enduring success of the University of North Texas at Dallas will be achieved and maintained through the quality and effectiveness of its faculty. Therefore, faculty members have a responsibility to maintain and exhibit competence and professionalism in their teaching, research, scholarly and creative activity; exercise professional and personal integrity and behavior; follow the ethical principles of the academic profession; and, adhere to federal and state laws and the rules and policies adopted by the UNT System Board of Regents and the University. The University will respond progressively to faculty members whose behavior fails to meet these expectations through neglect of or failure to perform their responsibilities, including behavior off-campus that adversely affects the interests or reputation of the University, by imposing sanctions in a manner that assists the faculty member to understand the impact of his or her behavior, and when appropriate, protects the University’s ability to carry out its mission by terminating employment.

Application of Policy. This policy applies to all faculty.

Definitions.

1. **Progressive Discipline.** “Progressive Discipline” means the process of imposing sanctions in a gradual manner that corresponds to the nature, seriousness and impact of the behavior on the University.

2. **Sanctions.** “Sanctions” means corrective and/or rehabilitative measures imposed on a faculty member for disciplinary purposes. Sanctions may range from mild to severe and from informal to formal. However, the imposition of any sanction must be regarded as a serious disciplinary step and even a first offense may warrant the most extreme penalty, including loss of tenure.

Procedures and Responsibilities.

The following procedures must be followed when a faculty member is alleged to have engaged in misconduct, including employment offenses other than discrimination or harassment. Allegations of discrimination and harassment will be resolved in accordance with the University nondiscrimination policy.

Procedures.

The procedures listed below are to be followed in sequence:

1. The department chair shall be responsible for reviewing allegations of misconduct, including employment offenses other than discrimination and harassment, made against faculty members in his or her department and for determining whether an investigation should be conducted. If the chair reasonably believes that serious misconduct has occurred, the matter shall proceed through the disciplinary process. However, if the chair determines that the allegation lacks merit or that the behavior occurred but warrants only an oral reprimand, this process is not required.
2. If the department chair believes misconduct may have occurred after reviewing the allegation, he or she will inform the dean. This notification should describe the allegation, identify the rules or policies he or she believes may have been violated, and include any supporting evidence.
3. The dean shall inform the Provost of the allegations before any further action is taken.
4. The chair, dean, and Provost shall consult with the Office General Counsel to discuss all facts related to the allegation and the rules, policies, and laws that may have been violated.
5. The chair shall notify the faculty member in writing of the allegations. This notice must identify any rules, policies or laws that may have been violated; provide any evidence obtained by the chair; and, inform the faculty member of the possible sanctions and of his or her right to respond to allegations.
6. The faculty member may respond to the allegations both orally and in writing. The response should include any evidence or information the faculty member wants the chair to consider in determining whether a violation occurred. Any response normally should be made within 10 working days from the date the notice is received. The chair shall meet with the faculty member if requested.
7. The chair shall review the faculty member's response, if any, and any information gathered during the investigation in determining

whether the faculty member committed misconduct. If the chair believes additional information is necessary, he or she may continue the investigation before making a determination. The faculty member must be given any additional information gathered and an opportunity to respond to this information.

8. If the chair determines that misconduct occurred, he or she will consider the nature of the behavior and its impact on the University, and the faculty member's employment history, including any past disciplinary actions, in determining the appropriate sanction, if any. The chair will forward to the dean the faculty member's response, his or her determination regarding the allegations, and a recommendation as to the sanction that should be imposed, if any. The recommendation of the chair normally will be given within 10 working days after receipt of the faculty member's response.
9. The dean shall consult with the Provost and the Office of General Counsel before notifying the faculty member and the chair of any sanction(s) to be imposed. Notification normally is given within 15 working days after receipt of recommendation from the chair.
10. The faculty member shall be given 10 working days from receipt of notification of the sanction to respond orally and/or in writing to the dean before any sanction(s) becomes effective. The dean shall meet with the faculty member if requested. If the dean, after receiving any response from the faculty member, imposes a sanction that includes suspension, the faculty member must be given 10 calendar days from the date he or she is notified of the sanction to submit an appeal in accordance with the faculty grievance policy. The appeal must be in writing.
11. If the dean believes termination is warranted, he or she shall forward a recommendation to the Provost setting out the reasons and evidence supporting the recommendation.
12. Upon receipt of the recommendation from the dean, the provost shall:
 - i. Inform the faculty member, in writing, of the recommendation for termination including the reason(s) for termination; the recommendation of the chair, if any; evidence supporting the recommendation for termination; the rules, policies, or laws that were violated;

and, his or her procedural rights under university policy, including the right to a formal hearing before the faculty appeals committee;

- ii. Review the recommendations of the chair and dean and conduct an informal, advisory inquiry into the reasons for termination to determine whether to initiate formal termination proceedings;
- iii. Give the faculty member an opportunity to respond orally and/or in writing to the recommendations, including presenting any additional information the faculty member would like the Provost to consider;
- iv. Review the faculty member's response and employment history, including any previous disciplinary actions, and notify the faculty member if he or she believes termination is warranted. This notice shall:
 - a) Set out the reason(s) for termination;
 - b) Identify the rules, policies or laws that the faculty member violated;
 - c) Provide evidence supporting the recommendation;
 - d) Inform a tenured faculty member that termination will result in revocation of tenure if approved by the UNT System Board of Regents;
 - e) Inform the faculty member of his or her procedural rights under the University grievance policy, including the right to appeal the recommendation for termination to the Faculty Appeals Committee and the deadline for submitting an appeal.
- v. Forward the recommendation for termination and revocation of tenure, if applicable, to the President.

When a department chair is alleged to have committed misconduct, the dean will be responsible for investigating the allegations and making the appropriate recommendation.

When a dean is alleged to have committed misconduct, the Provost will be responsible for investigating the allegations and making the appropriate recommendation.

Depending upon the severity of the alleged misconduct, the President or the President's designee may place a faculty member on leave with pay pending completion of an

investigation, effective immediately upon written approval and notice to the faculty member. Leave shall be with pay, with no reduction of accrued leave.

Types of Sanctions.

One or more types of sanction may be imposed as necessary to address the nature and seriousness of the misconduct. Sanctions include, but are not limited to those listed below. These sanctions do not appear in hierarchical order.

1. Oral or written reprimand.
2. Restitution.
3. Placement of the faculty member under direct supervision of the Chair or Dean for a specified period of time, with a written plan for remediation.
4. Loss of summer teaching employment for those on less than twelve month contracts.
5. Loss of perquisites or of privileges of rank for a stated period, not to exceed two years.
6. Loss of merit or other raises for a period not to exceed one year.
7. Reduction in salary for a period of one year. The reduction will take place with the next academic year.
8. Reduction in rank with loss of salary not to exceed the prevailing promotional increment. This sanction does not abrogate tenure.
9. Suspension with or without pay.
10. Reduction in contract period.
11. Termination. Termination of a tenured faculty member will result in loss of tenure if termination is approved by the UNT System Board of Regents.

Appeal of Recommended Sanctions.

Faculty members may appeal certain sanctions to the Faculty Appeals Committee according to the procedures set forth in this policy and the Faculty Grievance Policy (6.017).

Record Retention.

Unless otherwise required by law or university policy, records shall be retained according to the UNT Dallas records retention policy.

References and Cross-references.

Regents Rule 06.200

Regents Rule 06.1200

UNT Dallas Policy 6.017

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