

# **Texas Woman's University University Regulation and Procedure**

**Regulation and Procedure Name: Faculty Responsibilities, Standards of Conduct, and Disciplinary Processes**

**Regulation and Procedure Number: URP: 02.330**

**Policy Owner: Academic Affairs**

## **POLICY STATEMENT**

Texas Woman's University seeks to maintain a safe and respectful work and educational environment that allows all individuals to fully participate in the benefits and privileges the University has to offer. This University Regulation and Procedure ("URP") sets forth the responsibilities and standards of conduct for Texas Woman's University ("TWU") Faculty Members. Faculty Members are required to abide by the terms of this policy as a condition of employment. Failure to abide by these standards impacts a Faculty Member's ability to perform their job responsibilities and may result in disciplinary action according to the process in this URP.

## **APPLICABILITY**

This policy is applicable to TWU Faculty Members at all ranks and holding any appointment.

## **DEFINITIONS**

1. "Employee" means any individual at TWU who is hired in a full-time, part-time, or temporary capacity in a faculty or staff position, or in a position where the individual is required to be a student as a condition of employment.
2. "Faculty Member" means an individual who is employed by TWU as a member of the faculty and whose duties include teaching, research, service, and administration. Professional librarians and graduate assistant titles are excluded from the definition of faculty member.
3. "Student" means an individual taking courses at TWU, an individual who is not currently enrolled in courses, but who has a continuing academic relationship with TWU, or an individual who has been admitted or readmitted to TWU.

4. "Tenure" means the entitlement of a faculty member of TWU to continue in the faculty member's academic position unless dismissed by TWU for good cause in accordance with TWU's policies and procedures. The granting of tenure may not be construed to create a property interest in any attribute of a faculty position beyond a faculty member's continuing employment, including their regular annual salary and any privileges incident to their status as a tenured faculty.
5. "Termination" means the involuntary separation of an employee from the service of TWU.
6. "University Affiliate" means any individual associated with TWU in a capacity other than as a Student or Employee who has access to TWU resources through a contractual arrangement or other association. This includes the following individuals:
  - a. Contractors and Vendors: an individual, business, or governmental entity that has a fully executed contract to provide goods or services to TWU. This includes employees of contractors or vendors and independent contractors.
  - b. Employee of a Governmental Agency: an individual employed by a federal or Texas state agency.
  - c. Employee of a TWU-Affiliated Institution: an individual who works for organizations that are tightly aligned with the University.
  - d. Pre-Employment Individual: an individual who will be hired by the University and the hiring department has sponsored their access to TWU resources.
  - e. Other University Affiliate: any individual who does not fit into any other category and needs access to TWU resources.

## **REGULATION AND PROCEDURE**

### **I. Faculty Member Responsibilities**

Faculty Members shall abide by the following:

- A. Faculty Members, as teachers, scholars, colleagues, TWU community members, and representatives of TWU, have special responsibilities by virtue of the diverse roles they assume in academic life. The following statement sets forth general principles intended to serve as a guide for Faculty Members as they fulfill their professional responsibilities. In developing a statement of faculty responsibilities and ethical standards,

TWU subscribes to the belief that self-regulation is preferable to any externally imposed discipline. The following responsibilities have been adapted and modified from the American Association of University Professors ("AAUP") "Statement on Professional Ethics.

- B. Faculty Members, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the unique responsibilities placed upon faculty to seek and to state the truth as they see it. To this end, they must devote their energies to develop and improve scholarly competence. Faculty Members are obligated to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They must be aware of their limitations, including their levels of knowledge, skills, and abilities. Faculty Members must seek to be cognizant of current trends and developments in their professional areas. At all times, they are expected to practice intellectual honesty.
- C. As teachers, Faculty Members encourage the free pursuit of knowledge in their students. They hold before students the best scholarly and ethical standards for their discipline. They demonstrate respect for students as individuals and adhere to their proper role as intellectual mentor. Faculty Members refrain from acting in a way that may prove demeaning or discriminating to a student. They make every reasonable effort to assure that the evaluation of students reflects the students' true merits. Faculty Members recognize the confidential nature of the relationship between instructor and student and will comply with the Family Educational Rights and Privacy Act of 1974. Acknowledging that they hold power over their students, Faculty Members avoid exploitation, in a psychological, financial, or sexual manner.
- D. As colleagues, Faculty Members have obligations that derive from common membership in the community of scholars. Faculty Members do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas, Faculty Members show due respect for the opinion of others and strive to be objective. They accept their share of faculty responsibilities for the governance of the institution and put forth honest effort in the performance of their duties.
- E. As members of their institution, Faculty Members seek above all to be effective teachers and scholars. Although they observe the stated regulations, provided they do not contravene academic freedom within the institution, they maintain the right to criticize and seek revision. Faculty Members determine the amount and character of the work they do outside the institution with due regard to their paramount responsibilities within it.
- F. As members of the community, Faculty Members have the rights and responsibilities of citizens. They measure the urgency of the obligations in

the light of their responsibilities to the student, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or the University. As citizens engaged in a profession that depends upon freedom for its health and integrity, Faculty Members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

G. Additionally, Faculty Members' pursuit of teaching excellence is a life-long commitment and includes the following additional responsibilities:

1. Conduct their assigned courses in a manner consistent with the course content, class times and locations, and course credit as approved;
2. Have a firm command of course content and keep current with new developments in their discipline;
3. Design and evaluate conscientiously all student work with impartiality and complete grading in a timely manner;
4. Select teaching strategies that facilitate the learning process and communicate their subjects effectively;
5. Provide each student with a syllabus including the required elements in the TWU syllabus template;
6. Maintain a learning environment conducive to intellectual inquiry and rational discussion;
7. Collaborate on the maintenance of curriculum integrity and development of new programmatic directions;
8. Avoid any discriminatory conduct based on such factors as race, ethnicity, religion, national origin, sex, sexual orientation, gender expression, disability, age, or political beliefs. Faculty Members may not refuse to enroll or teach students on grounds of their beliefs; nor should Faculty Members, by the authority inherent in the instructional role, force or coerce students to make particular personal choices as to political action, religion, personal identity, or their role in society. Evaluation of students and the awarding of credit must be based on academic performance, rather than on personality, gender, race, ethnicity, religion, sexual orientation, degree of political activism, or personal beliefs;
9. Be available to advise students about academic matters by means of regularly scheduled office hours and appointments. In

performing this function, Faculty Members should make every reasonable effort to ensure that the information they transmit is timely and accurate;

10. Be reasonably available to colleagues for purposes of discussing teaching methods, content of courses, departmental administrative matters, possible topics of scholarship, scholarly work in progress, and related matters;
11. Continue professional development through research, scholarly writing, advanced study, continuing education, service, and original creative production as appropriate to their disciplines. This is possible because teaching responsibilities allow for a flexible scheduling of time and an opportunity to pursue intellectual and professional interests relatively free from distraction;
12. Provide institutional leadership. Although many duties within the University are performed by professional administrators, individual Faculty Members have responsibility to assume a fair share of leadership, including participation in academic component or college faculty meetings and service on academic component, college, and university committees. Faculty Members are also expected to serve their academic, professional, and civic communities with their expertise; and
13. Disclose any fraudulent or unethical activities occurring at the University to the appropriate university administrator as specified in university policies and procedures.

## II. Standards of Conduct

Faculty Members shall abide by the following Standards of Conduct:

- A. Colleges and universities must function in accordance with the public trust and the actions of faculty, staff, and students within them must be consistent with the execution of that trust.
- B. Faculty Members are expected to comply with all TWU rules or regulations, departmental policies, and federal, state, or local laws.
- C. Membership in the academic profession carries with it responsibilities for advancement of knowledge, excellence in teaching, the intellectual growth of students, high scholarship, and the improvement of society. Faculty Members must prioritize and evaluate their activities in terms of their commitment to these goals, as well as in terms of their own personal and professional development, and that of their discipline. Moreover, members of the faculty of TWU have a special obligation to understand the nature of this institution of higher learning with its unique characteristics, philosophy,

and objectives, and they have a responsibility to participate in the life and operation of TWU and the department, school or college of their appointment. They should strive to improve the intellectual and practical effectiveness of TWU through willing and thoughtful participation in its governance.

D. Faculty Members shall adhere to the following standards of conduct applicable to all TWU Employees:

1. Perform official duties in a lawful, professional, respectful, and ethical manner befitting the State of Texas and TWU;
2. Report any conduct or activity that the Employee believes to be in violation of this policy or other TWU policies to their immediate supervisor and the Office of Human Resources as necessary;
3. Notify their immediate supervisor of any arrest, indictment, conviction, or other adjudication for any felony or offense of moral turpitude (including offenses involving dishonesty, fraud, deceit, theft, misrepresentation, deliberate violence) no later than five business days after such arrest, indictment, conviction, or other adjudication; and
4. Abide by all other policies applicable to Employee conduct including but not limited to:
  - a. URP 01.200: Speech, Expression, and Assembly
  - b. URP 01.210: Ethics Policy for Employees
  - c. URP 05.500: Employee Attendance, Vacation, Sick, and Other Leave Policy
  - d. URP 05.215: Nepotism-Employment of Relatives
  - e. URP 05.100: Non-Discrimination, Equal Opportunity, and Diversity
  - f. URP 01.225: Prohibition of Sexual Misconduct

E. Prohibited Conduct

Faculty Members shall refrain from engaging in the following conduct, which is prohibited for all TWU Employees:

1. Violations of federal, state, or other public law, or TWU policy including but not limited to:

- a. Convictions of a felony or offense involving moral turpitude (including offenses involving dishonesty, fraud, deceit, theft, misrepresentation, deliberate violence);
  - b. Gambling on TWU premises;
  - c. Carrying, possessing, selling, or being under the influence of intoxicants, narcotics, or illegal drugs in violation of the law or URP 05.640: Drug Free Workplace Procedures and Drug Testing Policy for Faculty and Staff; and
  - d. Assault or attempted assault either on or off TWU premises.
2. Carrying or possessing firearms in violation of TWU policy or State of Texas law.
3. Carrying or possessing explosives, or other lethal or illegal weapons on TWU premises.
4. Theft, misappropriation, or unauthorized use of TWU funds or property, property belonging to other Employees or students, or other dishonest actions, including but not limited to:
  - a. Falsification of personnel or other TWU records; or
  - b. Willfully or negligently abusing, misusing, destroying, damaging, defacing, or removing property, tools, or equipment belonging to TWU, other Employees, or students.
5. Failure to observe assigned work schedules (starting time, quitting time, rest and meal periods), if applicable, or unauthorized, unexplained, or inexcusable absence or tardiness for three or more days without properly notifying supervisor or without satisfactory reason.
6. Failure to return to work upon expiration of leave of absence.
7. Failure to notify supervisor of absence at the earliest practical time.
8. Abuse of time during assigned working hours, including performing unauthorized personal activities on TWU time.
9. Disruptive conduct that it has the effect of impairing the work of any other Employee, including but not limited to:

- a. Disrupting another Employee's work environment, or preventing another employee from completing their assigned duties;
  - b. Indecent or obscene conduct;
  - c. Conduct that creates a hostile working environment for any Employee;
  - d. Abusive or unruly conduct;
  - e. Written, verbal, or physical fighting on the job or while representing TWU off-campus in the scope of their employment;
  - f. Unprofessional conduct; that is, behavior that a reasonable person in a professional office setting would find inappropriate, rude, disorderly, or offensive, and that is persistent, destructive, or intimidating;
  - g. Disrupting the smooth and orderly flow of work within a department or within TWU;
  - h. Harming the goodwill and reputation of TWU in the community at large; or
  - i. Delaying or restricting work or inciting others to delay or restrict work.
10. Inappropriate use of TWU electronic media, including internet, email, telephones, computers, software or long-distance codes. Inappropriate use of electronic media is use that violates state or federal law or TWU policy, including URP 04.700: Computer & Software Acceptable Use Policy, or interferes with an employee's ability to effectively perform their job duties.
11. Unsatisfactory work performance, including, but not limited to:
- a. Failure or refusal to properly perform work assigned by a supervisor or failure to follow any reasonable instructions issued by supervisor related to performing job tasks or job duties; or
  - b. Insubordination.
12. Soliciting or collecting contributions for any purpose or selling or offering for sale any goods or service, on TWU premises in violation of URP 01.285: Sales, Solicitations, and Fundraising.



13. Damaging or defacing TWU property, including bulletin boards or notices posted thereon.
14. Discourteous or demeaning treatment of TWU employees, students, University affiliates, or the public.
15. Violation of TWU safety or sanitation rules and regulations or any act which might endanger the safety or lives of others.
16. Disclosure of confidential TWU information to unauthorized persons.
17. Refusal to attend or complete state or TWU mandated trainings within the appropriate timeframe.
18. Smoking or vaping on campus.
19. Violation of internal department rules or other TWU policies or procedures, including those that may be published after the date of this policy, and flagrant or repeated violations of TWU policies and procedures.
20. In addition, Faculty Members have additional responsibilities to maintain the integrity of TWU as an academic institution of higher learning. Consistent with these responsibilities, the following conduct is prohibited:
  - a. Plagiarism or Academic Dishonesty such as giving or receiving aid on any test, examination, quiz, or other academic assignment;
  - b. Forgery or unauthorized alteration or use of TWU documents, records, or identification materials;
  - c. Furnishing false information to TWU, or failure to acquire and maintain appropriate licensure and certification required for supervision and practice;
  - d. The use of violent or other forceful methods to obstruct the functions of the TWU, which include teaching, research, administration, public service, presentations by guest lecturers and speakers, and other authorized activities;
  - e. Physical abuse, or conduct that threatens or endangers the health or safety, of any person on TWU-owned or controlled property or at TWU sponsored or supervised functions;

- f. Executing professional responsibilities related to teaching, research supervision, committee work with respect to a student related to the Faculty Member within the second degree of affinity or third degree of consanguinity as defined in URP 05.215: Nepotism-Employment of Relatives;
- g. Theft of or intentional or negligent damage to TWU or to the property of a member of the TWU community or a campus visitor;
- h. Unauthorized entry to or use of TWU facilities or resources;
- i. Unlawful manufacture, distribution, dispensing, possession, or use of controlled substances, or any substance the possession or distribution of which is regulated by federal or Texas law, except where the manufacture, distribution, dispensing, possession, or use are in accordance with the laws of each. (See URP 05.640: Drug-Free Workplace Procedures and Drug Testing Policy for Faculty and Staff);
- j. Engaging in discrimination or sexual misconduct as determined under TWU policy (See URP 05.100: Non-Discrimination, Equal Opportunity, and Diversity and URP 01.225: Prohibition of Sexual Misconduct);
- k. Lewd, indecent, or obscene conduct or language on TWU-owned or controlled property or at a TWU-sponsored or supervised function;
- l. Unprofessional conduct, that is, behavior that a reasonable person in a professional setting would find inappropriate, rude, disorderly, or offensive, and that is persistent, destructive or intimidating;
- m. Violence or threat of violence, or causing or threatening to cause imminent or immediate harm to someone;
- n. Violation of other TWU policies or rules;
- o. Conviction of a criminal or civil offense that reflects negatively upon TWU; and
- p. Academic retaliation.

#### F. Prohibited Conduct Warranting Termination of Employment For Good Cause

Tenured and non-tenured faculty members may be terminated at any time on a determination of good cause. Good cause for termination may include, but not be limited to the following:

1. Professional incompetence;
2. Continually or repeated failure to perform duties or meet professional responsibilities of the faculty member's position;
3. Failure to successfully complete any post-tenure review professional development program;
4. Moral turpitude adversely affecting the performance of duties or the meeting of responsibilities to TWU, or to students or associates;
5. Violation of TWU policies, regulations, rules, or laws substantially related to the performance of the faculty member's duties;
6. Conviction of a crime related to the fitness of the faculty member to engage in teaching, research, service, outreach, or administration;
7. Unprofessional conduct adversely affecting the performance of duties or the meeting of responsibilities to TWU or the faculty member's performance of duties or meeting of responsibilities;
8. Falsification of academic credentials;
9. The reduction or discontinuance of institutional programs based on educational considerations and requiring the termination of faculty members, in accordance with URP 02.342: Faculty Promotion and Tenure; or
10. A finding of sexual misconduct or other serious misconduct, in accordance with TWU policy.

#### III. Progressive Discipline

The progressive disciplinary process shall proceed as follows:

- A. A concerted supervisory effort should be made to both prevent serious personnel concerns and address employee misconduct. Supervisors have

the right to discipline Faculty Members for conduct in violation of this policy. It is essential that each concern be reviewed thoroughly and expeditiously to ensure that the facts of the situation are known before any determination regarding disciplinary measures is made.

- B. Discipline should be progressive. The normal sequence of disciplinary action is as follows: (1) Oral Warning; (2) Written Reprimand; (3) Disciplinary Probation; (4) Suspension; and (5) Termination. Depending on the nature or severity of the case, disciplinary action may begin at any of these steps and may skip intermediary steps if the skipping of such intermediary measures are deemed to be in the best interests of TWU.
- C. Disciplinary action will include a statement regarding the problematic behavior as well as a clear statement of corrective action. Written Reprimands through Terminations must first be reviewed by the Office of General Counsel and in consultation with the Executive Vice President for Academic Affairs and Provost (“EVPAA/Provost”) and other applicable Vice President, as appropriate. The corrective action may include a section which documents specific, job-related, and measurable actions identified to increase job knowledge, improve skills, or correct performance difficulties. Timetables may be established for follow-ups, and improvement or non-improvement will be documented. When appropriate, a Faculty Member subject to disciplinary action should be given a reasonable period of time to improve their performance or correct the problematic behavior.
  - 1. Oral Warning: Initial disciplinary action should begin in the form of an oral discussion and warning, especially for relatively minor violations. If it appears that a Faculty Member has failed to perform their work in a satisfactory manner or conduct themselves according to job requirements, the supervisor should first talk to the Faculty Member about the matter and informally inquire further into the situation. If facts indicate that the Faculty Member may have been at fault, the supervisor should discuss the matter with the Faculty Member. The supervisor may call on another person (preferably another supervisor) to be present as a witness during the discussion. The supervisor should clearly inform the Faculty Member of the problematic behavior and the need for corrective action. Supervisors should maintain a complete and accurate written record of the warning.
  - 2. Written Reprimand: Written Reprimand involves both a formal interview with the Faculty Member and an official memorandum documenting the incident and corrective action. A Written Reprimand should include: the names of parties involved, dates, a description of the incident or behavior, witnesses (if any), and the action taken. Reference should also be made to the dates and results of prior oral warning(s), or other Written Reprimand(s)

regarding the incident or behavior at issue. A Written Reprimand that imposes sanctions as a corrective action for the Faculty Member will be issued by the Faculty Member's Dean. A copy of the reprimand should be sent to Human Resources and the Provost's Office to be placed in the Faculty Member's permanent file.

3. **Disciplinary Probation:** Disciplinary Probation places a Faculty Member on a probation period of up to one academic semester to improve inadequate performance or conduct before additional disciplinary action is taken. Disciplinary Probation may also be used in conjunction with other disciplinary actions. During the probationary period, the Faculty Member will receive a performance improvement plan or instructions to improve their behavior or performance.

a. To place a Faculty Member on disciplinary probation, the supervisor should:

i. Present the Faculty Member with a completed disciplinary record indicating disciplinary probation, the period of disciplinary probation, and the reasons for the disciplinary probation and attach a performance improvement plan or instructions to improve their behavior or performance; and

ii. Forward a copy of the disciplinary record to Human Resources and the Provost's Office for inclusion in the Faculty Member's permanent file.

4. **Suspension:** Suspension is a disciplinary action or an interruption (without pay) of the active employment of a Faculty Member. Any contemplated suspension of a Faculty Member for any duration of time must be approved by the Executive Vice President for Academic Affairs and Provost and in consultation with the Office General Counsel.

a. Before deciding to suspend a Faculty Member without pay, the supervisor should:

i. Present the Faculty Member with a disciplinary record indicating suspension, the period of suspension, and the reasons for the suspension; and

ii. Forward a copy of the disciplinary record to Human Resources and the Provost's Office for inclusion in the Faculty Member's permanent file.

- b. The supervisor will conduct a conference with the Faculty Member on the day the Faculty Member is to return to work after the suspension. The discussion should review the reason for suspension, the anticipated corrective action, and the next step to be taken if improvement does not occur.
5. Alternative Disciplinary Actions: Other forms of disciplinary action may be appropriate in some cases. These may include making up lost time, docking pay, withholding salary increases, loss of teaching opportunities, transfer to more suitable work, or compensating TWU for damage. Alternative disciplinary actions require the prior review of the Office of General Counsel and consultation with the Executive Vice President for Academic Affairs and Provost.
6. Termination: Termination of a Faculty Member during the term of the contract must be for good cause, and must comply with the requirements of the following, as appropriate:
  - a. URP 02.350: Faculty Grievance, Review, and Appeal Processes
  - b. URP 02.342: Faculty Appointment, Promotion, and Tenure
  - c. URP 02.348: Post-Tenure Review

D. A review of disciplinary actions by the Office of General Counsel, in consultation with the Office of Human Resources, as appropriate, is required for Equal Employment Opportunity compliance for written reprimands, disciplinary probations, suspensions, alternative disciplinary actions, and terminations.

#### IV. Removal from Campus

In extremely serious cases involving violence or imminent threat to personal safety or property, the supervisor or TWU's Department of Public Safety may determine the need for immediate removal of a Faculty Member from TWU property. This action should be considered an immediate suspension with pay and may warrant further disciplinary action.

#### V. Grievance, Review, and Appeal Process

A. A Faculty Member who is so authorized may seek, as appropriate, to submit a grievance related to the following matters pursuant to the process outlined in the relevant URP:

1. Any issue bearing upon the academic freedom of a Faculty Member; and

2. Employment-related concerns, such as working conditions, hours of work, compensation, environment, or relationship issues with supervisors or other employees.
- B. A Faculty Member who is so authorized may seek, as appropriate, a review of the following disciplinary actions taken under this URP:
1. Written Reprimand;
  2. Disciplinary Probation; and
  3. Suspension.
- C. A Faculty Member who is so authorized may seek, as appropriate, an appeal of the following disciplinary actions taken under this URP:
1. A recommendation to revoke tenure and terminate the employment of a tenured Faculty Member;
  2. A recommendation to demote a contract Faculty Member during the term of the contract;
  3. A recommendation to terminate the employment of a Faculty Member during the term of the employment contract; and
  4. A recommendation to deny an application for tenure or promotion for a tenure-track Faculty Member.
- D. See URP 02.350: Faculty Grievance, Review, and Appeal Processes.

## **REVIEW**

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every six years. Interim review may be required as a result of updates to federal and state law or regulations, Board of Regents policies, or internal processes or procedures.

## **REFERENCES**

[American Association of University Professors Statement on Professional Ethics](#)

[Family Educational Rights and Privacy Act of 1974](#)

[URP 01.200: Speech, Expression, and Assembly](#)

[URP 01.210: Ethics Policy for Employees](#)

[URP 05.500: Employee Attendance, Vacation, Sick, and Other Leave Policy](#)

[URP 05.215: Nepotism-Employment of Relatives](#)

[URP 05.100: Non-Discrimination, Equal Opportunity, and Diversity](#)

[URP 01.225: Prohibition of Sexual Misconduct](#)

[URP 05.640: Drug Free Workplace Procedures and Drug Testing Policy for Faculty and Staff](#)

[URP 04.700: Computer & Software Acceptable Use Policy](#)

[URP 01.285: Sales, Solicitations, and Fundraising](#)

[URP 02.350: Faculty Grievance, Review, and Appeal Processes](#)

[URP 02.342: Faculty Appointment, Promotion, and Tenure](#)

[URP 02.348: Post-Tenure Review](#)

## **FORMS AND TOOLS**

None

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