

Texas Woman's University University Regulation and Procedure

**Regulation and Procedure Name: Faculty Standards of Conduct Corrective
Action Guidelines**

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

Policy Owner: Academic Affairs

POLICY STATEMENT

Texas Woman's University has several policies that apply to faculty performance. These documents include:

Promotion and Tenure Policy

Framework for Annual Performance Review

Post-Tenure Review Policy

These policies concern faculty members' discharging their responsibilities in the traditional areas of teaching, scholarly accomplishments, and service. The Standards of Conduct Policy & Corrective Action Guidelines apply to situations and actions not covered by any other university policies.

When a faculty member's conduct is not in keeping with the behavior standards expected of an employee of Texas Woman's University, the supervisor or administrative officer has the responsibility to investigate the situation so that facts are known and can lead to correction if needed. Faculty members are subject to corrective action, including dismissal, for violation of University rules or regulations, departmental policies, federal, state, or local laws. The term "faculty member" in this policy includes persons with faculty or librarian appointments.

The TWU *Faculty Handbook, Section B: Faculty Employment Policies and Practices* provides an overview of faculty employment-related policies and emphasizes the importance of faculty to act responsibly, specifically two sections titled "Academic Freedom" (Policy 1.01) and "Faculty Responsibilities" (Policy 5.02).

Other TWU employment policies may also be related to this policy (Policy 5.23).

In cases of employment offenses or misconduct alleged to involve acts of discrimination, including sexual harassment, refer to the policies on Nondiscrimination and Sexual

Harassment set forth in Section B of the Faculty Handbook and Policy 3.05 Sexual Harassment.

The concept of progressive discipline acknowledges that a faculty member may be guilty of an employment offense or misconduct that, while serious, does not necessarily justify dismissal and/or loss of tenure. Activities of a faculty member that fall outside the scope of employment shall constitute misconduct only if such activities adversely affect the legitimate interests of the University. Examples of such conduct include, but are not limited to: Conduct, professional or personal, involving moral turpitude. Action(s) that results in preventing other members of the University community from fulfilling their responsibilities or that create a clear and present danger to members of the University community.

APPLICABILITY

This policy is applicable to TWU Faculty.

DEFINITIONS

None.

REGULATION AND PROCEDURE

I. Discipline Sanctions Options

A. Sanctions are disciplinary actions imposed on an individual that may include punishment or other corrective actions. Sanctions may extend from mild to severe and from informal to formal. In cases of employment offenses or misconduct, a range of sanctions short of dismissal should be available. This range of sanctions from minor to major constitutes progressive discipline. 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 and loss of tenure. Any sanctions imposed must be selected to meet the severity, the frequency, and/or flagrant nature of the infraction. In some instances the faculty member may be placed on leave of absence until final action is taken.

B. Appropriate sanctions may include, but are not limited to the randomized list below. These sanctions do not appear in hierarchical order.

1. Reassignment to other duties
2. Oral reprimand
3. Reassignment of workspace
4. Restitution

5. Loss of tenure and/or dismissal
6. Written reprimand
7. Placement of the faculty member under direct supervision of the **component administrator** (Associate Dean/Chair/Director/Program Director) or Dean with a specific plan for remediation and for a specific period of time
8. Loss of summer teaching employment for those on less than twelve month contracts
9. Loss of perquisites or of privileges of rank
10. Loss of merit raises
11. Reduction in salary
12. Reduction in rank with loss of salary not to exceed the prevailing promotional increment. This action in no way abrogates tenure.
13. Suspension with or without pay
14. Reduction in contract period

C. In cases of employment offenses or misconduct alleged to involve acts of unlawful discrimination, and/or sexual harassment, the matter will be reviewed in accordance with University policy.

II. Procedures

- A. These procedures must be followed when a faculty member is alleged by the University to have committed conduct, other than discrimination, to initiate this review. If, however, the **component administrator** regards the alleged conduct as one that warrants only an oral reprimand, the **component administrator** may follow these procedures at his or her discretion.
- B. Depending upon the severity of the alleged offense or misconduct, the Provost may immediately place a faculty member on leave with pay pending an investigation of alleged misconduct or other employment offense. The leave pending investigation shall commence immediately by decision of the Provost or designee. The faculty member will be provided with written notice of allegations. The procedures listed below are to be followed in sequence.

1. The **component administrator** notifies the Dean in writing of the alleged conduct and reasons for initiating this review.
2. The **component administrator** notifies the faculty member in writing of the alleged conduct with reasons for initiating this review.
3. The faculty member is given an opportunity to respond in writing, normally within ten (10) working days after receipt of the notice.
4. The **component administrator** reviews the faculty member's response (if any was made) and his/her past performance and employment record and gathers any additional information prior to determining if a sanction is warranted.
5. Normally within ten (10) working days after receiving the faculty member's response, the **component administrator** notifies the Dean of the response and includes his or her recommendations regarding the alleged conduct with a copy to the faculty member. If warranted, the **component administrator's** recommendation may include an appropriate sanction.
6. The Dean may impose any sanction less than dismissal or revocation of tenure. The Dean notifies the faculty member and the component administrator of the sanction (if any) to be imposed. Notification is normally given within fifteen (15) working days.
7. The faculty member is given ten (10) working days to respond in writing to the Dean before any sanction(s) becomes effective.
8. If the proposed sanction is termination of employment or revocation of tenure, the Dean notifies the Provost. This notification will include all appropriate documentation.
9. The Provost notifies the faculty member and the component administrator of the sanction to be imposed. Notification is normally given within fifteen (15) working days.

C. When a **component administrator** is alleged by the university to have committed conduct which would initiate a review under this policy, the Dean will follow the above procedures fulfilling the component administrator's duties; and the Provost and Vice President for Academic Affairs will act in the Dean's role. When a Dean is alleged by the university to have committed conduct which would initiate a review under this policy, the Provost will follow the above procedures fulfilling the Chair and Dean's duties, and the Chancellor and President will act in the Provost's role.

III. Appeal of Recommended Sanctions

Faculty may appeal the sanctions determined/imposed by the Dean or the Provost to the Faculty Review Committee. Such appeals are governed by the *Faculty Handbook, Sec. B: Faculty Employment Policies and Procedures, Appeal to Faculty Review Committee*. The Faculty Review Committee may recommend acceptance, modification or rejection of the findings and/or sanctions. When sanctions have been recommended by the Dean, the Faculty Review Committee reports to the Provost and the Provost makes the final decision. When sanctions have been recommended by the Provost or Chancellor, the Faculty Review Committee reports to the Chancellor and the Chancellor makes the final decision.

IV. Records Retention

Unless otherwise required by law or university employment policies, records retention will follow the university's *Records Retention Policy*.

V. EEO Compliance

All disciplinary action taken under this policy resulting in loss of tenure or termination of employment will be subject to review by the Equal Employment Opportunity Officer to ensure EEO Compliance. Nothing in these guidelines limits "at will" employment in Texas and at Texas Woman's University or existing non-renewal policies, post-tenure review policies or procedures, or existing policies or practices that academic administrators serve in that administrative capacity at the pleasure of the Chancellor and President.

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

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

[URP 02.346: Faculty Periodic Performance Review/Evaluation](#)

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

[URP 02.300: Academic Freedom](#)

[URP 02.398: Faculty Responsibilities](#)

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

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

[URP 01.310: Records Retention](#)

FORMS AND TOOLS

None

<p>Publication Date:</p> <p>Next Review:</p>
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