

FACULTY MEETING
April 6, 2012

MOTIONS - FACULTY HANDBOOK, PART ONE, ARTICLE X

I. MOTION 1

That the current Part One, Article X of the Faculty Handbook, DISCIPLINE OF TENURED FACULTY, be replaced with a new Article X, DISCIPLINE AND DISMISSAL OF FACULTY.

The current language of Article X reads as follows:

X. DISCIPLINE OF TENURED FACULTY

The appointment of a tenured faculty member may not be terminated nor status reduced except for cause and after thorough investigation. In the event of such a situation, the faculty member may request either (1) an investigation and hearing by the Vice President for Academic Affairs, the Dean of the Faculty and the Committee on Appointments, Promotions, and Tenure, (2) a hearing before the Committee on Academic Freedom and Rights, or (3) a hearing before a joint trustee committee and the CAPT or a joint trustee committee and the CAFR.

The proposed new language is set forth in the attached document, "[Article X. DISCIPLINE AND DISMISSAL OF FACULTY.](#)"

Rationale:

In response to an expression of concern by a faculty member, the Committee on Academic Freedom and Rights (CAFR) drew attention to the fact that the current language of Article X is inadequate:

- it provides only for termination or reduction of status of tenured faculty members; it does not provide for other sanctions.
- it does not provide clear and specific procedures for resolving complaints against faculty members or for the termination of a faculty member.

The new Article X proposes to address these matters.

Since department chairs, program directors, and members of Academic Affairs administration do receive complaints from time to time regarding the behavior of faculty members, it is important to have clearly defined procedures for addressing those complaints.

The new Article X proposes procedures for complaints leading to sanctions of various levels of seriousness as well as complaints leading to dismissal from the College. Moreover, the proposed procedures protect all faculty members, not only those who are tenured or on the tenure-track.

The new Article X attempts to strike a reasonable balance between articulating general types of behavior that may result in discipline of a faculty member without specifying every offense and providing that faculty member the remedy of appeal and peer review. In short, the proposed new procedures allow the College to weigh both the interests of faculty members accused of misconduct and the interests of community members who may be adversely affected by the alleged misconduct.

II. MOTIONS 2A and 2B

If MOTION #1 carries, the Faculty Executive Committee will propose the following motions:

- A) That the description of the function and membership of the Faculty Advisory Board in the Faculty Handbook, Part Two, II, 14, be amended and**
- B) That a new item 16, GRIEVANCE PANEL, be inserted after Part Two, II, 15 (with the following numbered items to be adjusted as appropriate).**

For A, the current language reads as follows:

Function: To provide a pool of faculty peers to staff an Advisory Panel (AP, see below), which is convened in the formal investigation of a discrimination or harassment charge made against a member of the Faculty.

Membership: Six members of the Faculty, at least four of whom must be tenured and two of whom may be untenured at the time of appointment, serving overlapping three-year terms. These members will be appointed by the FEC in consultation with the Vice President for Academic Affairs, and trained by Human Resources in matters of discrimination and harassment. Appointments will be based on an initial willingness-to-serve pool, the vote of the faculty, and, when necessary, the need for appointing a representative FAB. Members of the FAB may not serve concurrently on the CAFR, the CAPT or the TRB.

Proposed language follows:

Function: To provide a pool of faculty peers to staff an Advisory Panel (AP, see **15** below), which is convened in the formal investigation of a discrimination or harassment charge made against a member of the Faculty; **or to staff a Grievance Panel (GP, see 16 below), which is convened (i) when a member of the Faculty appeals disciplinary sanctions, based upon charges of professional incompetence, neglect of duties, professional misconduct, or personal misconduct or (ii) when the ADOF believes dismissal of a member of the Faculty is warranted, based upon charges of professional incompetence, neglect of duties, professional misconduct, or personal misconduct.**

Membership: **Eight** members of the Faculty, at least **six** of whom must be tenured and two of whom may be untenured at the time of appointment, serving overlapping three-year terms. These members will be appointed by the FEC in consultation with the **Dean of Faculty**/Vice President for Academic Affairs, and trained by Human Resources in matters of discrimination, harassment, **and disciplinary proceedings**. Appointments will be based on an initial willingness-to-

