

Policies of the University of North Texas Health Science Center	Chapter 6.000 Faculty Affairs
6.005 Faculty Discipline and Termination	

Policy Statement. The University of North Texas Health Science Center (UNTHSC) faculty policies are in alignment with our code of culture that sets expected behaviors based on values. A faculty member's failure to meet responsibilities impacts the university's ability to carry out its mission. Faculty members who are unable to effectively perform their duties in teaching, research, and service may need corrective actions. This policy outlines the standards and procedures related to faculty discipline and termination.

Application of Policy. All faculty members.

Definitions.

1. **Adequate Cause.** "Adequate Cause" (also referred to as Good Cause) for discipline and/or termination of faculty members includes, but will not be limited to, the following:
 - a. Professional incompetence (some examples include but are not limited to lack of knowledge or ability to impart knowledge; physical mistreatment of students; serious lack of cooperation required to effectively teach; inability to conduct research);
 - b. Continuing or repeated failure to perform duties or meet the responsibilities to the university, UNT system, students, or associates;
 - c. Failure to successfully complete a faculty professional improvement plan as described in the Evaluation of Tenured Faculty policy;
 - d. Conduct adversely affecting the performance of duties or the meeting of responsibilities to the university, UNT system, students, or associates;
 - e. Violation of UNT system board of regent rules, university policies, state or federal laws substantially related to performance of faculty duties;
 - f. Conviction of a crime substantially related to the duties and responsibilities associated with teaching, research, and service or failure to disclose or misrepresentation of criminal history background information;
 - g. Unprofessional conduct adversely affecting to a material and substantial degree the performance of duties or the meeting of responsibilities to the UNT system, university, or to students or associates of the university;

- h. Falsification of academic credentials;
 - i. Action(s) that impair or prevent other members of the university community from fulfilling their responsibilities or that create a clear and present danger to members of the university community;
 - j. Moral turpitude adversely affecting the performance of duties or the meeting of responsibilities to the academic institution, or to student or associates
2. **Progressive Discipline.** “Progressive Discipline” means the process of imposing corrective actions in a gradual manner based on the nature, seriousness and impact of the behavior to the University.
3. **Sanctions.** “Sanctions” mean corrective and/or rehabilitative actions 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 and termination.

Procedures and Responsibilities.

- 1. General Guidelines.
 - a. The University encourages a supportive problem-solving approach to workplace problems, and the University recognizes that conduct by faculty members may require disciplinary action, short of dismissal.
 - b. Administrative procedures shall be used in a manner that is consistent with the protection of academic freedom. The faculty member has the right to present evidence on his or her behalf and may seek advice and assistance.
- 2. Discipline
 - a. Upon notice of misconduct by a faculty member, a department chair may seek advice from the Provost’s office, Human Resources, the Office of General Counsel, or other appropriate university officials. The department chair is responsible for investigating the allegation or requesting an investigation by another department, if applicable.

- b. The department chair will be responsible for reviewing allegations of misconduct or inappropriate behavior that may warrant corrective action and determine whether an investigation should be conducted. If the department chair has a conflict of interest, the chair will forward the case to the Dean.
- c. Within ten (10) working days of receipt of the allegation of misconduct, the appropriate official will determine whether the allegation has merit.
- d. The following administrative procedures apply:
 - i. The department chair notifies the faculty member in writing of the allegation and states the nature and details of the alleged misconduct and a proposed corrective action. The chair will, if possible, deliver the written notification of alleged misconduct to the faculty member by scheduling a personal conference.
 - ii. The department chair notifies the dean of the allegation and states the nature and details of the alleged misconduct and a proposed corrective action.
 - iii. The faculty member has the right to respond both orally and in writing to the allegations and any evidence provided. A response must be submitted to the department chair within five (5) working days of notification.
 - iv. The department chair will review the faculty member's response, if any, and determine if additional investigation is necessary. The faculty member will be provided any additional information gathered and given an opportunity to respond. The faculty member's response, if any, must be presented to the department chair within five (5) working days of being notified of the new or additional information.
 - v. After review of the entire matter, the department chair may reconsider the proposed corrective action and provide a written recommendation to the Dean, with a copy to the faculty member. This should normally occur within ten (10) working days after receiving the faculty member's response, if any.

- vi. Upon receipt of the department chair's recommendation, the Dean may consult with the Provost Office, Human Resources, Office of General Counsel, or other appropriate departments.
After review of the record, the Dean will make a recommendation of the proposed corrective action to the Provost.
- vii. After review of the entire matter, the Provost will notify the faculty member, the Dean, and the department chair of the corrective action, if any, to be imposed and the timing of such corrective action.
- viii. The faculty member has ten (10) working days to notify the Provost in writing of any intent to appeal the proposed corrective action to the Faculty Grievance and Appeal Committee.
- ix. If a faculty member chooses to appeal the decision, no corrective action shall become effective until the appeal process is complete.

Responsible Party: Provost, Dean, Department chair, and faculty member

3. Sanctions/Corrective Actions.

- a. In cases of misconduct, a range of corrective actions may be imposed on a faculty member. Depending on the severity of the alleged misconduct, the President or the President's designee may immediately place a faculty member on leave pending an investigation when an employee's or university community's safety or security is a concern; or when necessary to remove the person from the workplace so a thorough investigation can be conducted. Leave pending an investigation may also be imposed when a faculty member cannot perform services due to debarment by a government authority or suspension, limitation, revocation, or cancellation of a professional license. The leave pending investigation shall commence immediately upon providing the faculty member with a written notice of the reasons.

- b. Corrective actions may include, but are not limited to, the list below. These actions do not appear in order of importance and may be imposed in combination. The type of offense or misconduct will determine specific corrective actions:
1. Oral or written reprimand;
 2. Loss of merit or other raises for a period not to exceed one year;
 3. Reduction in salary for a period of one year. The reduction may take place immediately;
 4. Reduction in rank with loss of salary. This sanction does not abrogate tenure;
 5. Suspension with or without pay;
 6. Revocation of tenure and termination. Termination and revocation of tenure can only be approved by the UNT System Board of Regents.
4. Appeal
- a. A faculty member may appeal the corrective action to the Faculty Grievance and Appeal Committee according to the procedures set forth in this policy and the Faculty Grievance and Appeal Policy.

References and Cross-references.

Regents Rule 06.200

Regents Rule 06.1200

UNTHSC 6.006 Faculty Grievance and Policy

Approved: May 28, 2019

Effective: June 1, 2019

Revised: