

Policies of the University of North Texas	Chapter 6
06.025 Faculty Misconduct and Discipline	Faculty Affairs

Policy Statement. The University of North Texas (UNT) expects faculty to abide by the tenets of the UNT Policy 06.035 Academic Freedom and Academic Responsibility. Failure to follow faculty responsibilities as outlined in the Academic Freedom and Academic Responsibility Policy diminishes a faculty member’s capacity to effectively perform his or her teaching, research and creative activity, and service. Such failure ultimately impacts the ability of the university to carry out its mission. When a faculty member engages in inappropriate behavior or misconduct, the university may impose corrective actions.

Application of Policy. Faculty members.

Definitions.

1. **Appeal.** “Appeal” means a grievance filed by a faculty member concerning a finding that the faculty member engaged in misconduct or the corrective action recommended or imposed for engaging in misconduct.
2. **Faculty Member.** “Faculty Member” means a person who is employed by the University of North Texas as a member of the faculty or staff and whose duties include teaching, research, administration including professional librarianship, and/or the performance of professional services.
3. **Unit Administrator.** “Unit Administrator” means an individual with unit supervisory responsibilities. Unit administrators include, but are not limited to, directors, chairs, associate deans, and deans.
4. **Faculty Peer.** “Faculty Peer” means a member of a unit-level faculty committee.

Procedures and Responsibilities.

Misconduct.

Misconduct refers to behavior that significantly impairs the functions of teaching, research and creative activity, or service. Examples of such misconduct include, but are not limited to, the following:

1. Gross neglect of duty or failure to perform the terms of employment for reasons other than documented illness or injury.

2. Violation of the Board of Regents rules, university policies, or state or federal law.
3. Violation of professional and personal conduct related to resource use. Examples may include, but are not limited to, unauthorized use of university resources, failure to report potential conflicts of interest, misuse of university documents or identification, and unauthorized entry to a facility or property.
4. 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.

A faculty member's conduct that falls outside the scope of employment shall constitute misconduct when the activity adversely affects the mission or reputation of the university.

Responsible Party: VP for Academic Affairs; Faculty

Administrative Procedures.

The following administrative procedures must be followed when a faculty member is alleged to have engaged in behavior or conduct that warrants corrective action or when a unit administrator otherwise learns of faculty misconduct. Resolution of the matter may occur at any point in the discipline process. Depending upon the severity of the offense, the unit administrator may seek advice from and/or notify the Office of General Counsel and the Provost and Vice President for Academic Affairs throughout the process.

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 from a faculty advocate.

The unit administrator is responsible for reviewing allegations of conduct or behavior that may warrant corrective action and determining whether an investigation should be conducted. The unit administrator should determine within ten (10) working days of an allegation of misconduct whether an allegation of misconduct lacks merit; the faculty behavior warrants only an oral reprimand; or misconduct has occurred and the matter shall proceed through the disciplinary process outlined below. However, if the unit supervisor determines that he or she has a conflict of interest in the case in question supervisor must immediately request that the case be reviewed by a higher level administrator.

Depending on the type of alleged misconduct, one or more individuals or units may be responsible for conducting the investigation (e.g. Internal Audit investigates alleged fraud, Police investigate criminal matters). A faculty member's immediate unit administrator who receives an allegation of misconduct is responsible for reviewing all allegations of misconduct,

must determine the type of misconduct, and must contact the appropriate UNT office to discuss the appropriate process to initiate an investigation. Under certain circumstances the length of the investigation may extend the timing of the disciplinary sequence of events.

Sequence of Disciplinary Procedures for Faculty Members.

1. Within ten (10) working days of learning of an allegation or other credible evidence of faculty misconduct the unit administrator notifies the faculty member in writing of the alleged misconduct, clearly identifying, with supporting evidence, which policies/procedures may have been violated.
2. The unit administrator informs the Dean or other immediate supervisor in writing of the alleged offense or misconduct, indicating with supporting evidence any policies/procedures that may have been violated. The unit administrator may consult with the Office of General Counsel.
3. The faculty member has the right to respond both orally and in writing to the allegations and any evidence presented. If the faculty member chooses to respond, the response must be presented to the unit administrator within ten (10) working days of being notified of the alleged misconduct.
4. The unit administrator reviews the faculty member's response (if any was made) and gathers any additional information needed prior to determine if a corrective action is warranted. If additional information is obtained, the faculty member will be informed in writing of the new information and given an opportunity to respond. If the faculty member chooses to respond, the response must be presented to the unit administrator within ten (10) working days of being notified of the new or additional information.
5. The unit administrator, after reviewing the second response (if received from the faculty member), notifies the Dean of the response and includes a recommendation concerning whether the misconduct occurred. This should normally occur within ten (10) working days after receiving the faculty member's response. The unit administrator may recommend an appropriate corrective action.
6. The Dean consults with the Office of General Counsel and the Provost and Vice President for Academic Affairs. The Dean notifies the faculty member and the unit administrator of the corrective action, if any, to be imposed and the timing of such corrective actions. Notification is normally given within fifteen (15) working days.
7. The faculty member is given ten (10) working days to respond both orally and in writing to the Dean before any corrective action(s) becomes effective. The response should indicate any intention to appeal the recommended corrective action(s) to the Faculty Grievance Committee.

8. The faculty member has ten (10) working days to respond both orally and in writing to the Dean before any corrective action(s) becomes effective.
9. If a faculty member chooses to appeal the decision, no corrective action shall become effective until the appeal process is complete.

Responsible Party: Unit Administrator

The University provides timely due process for faculty appeals at each level (e.g., unit, college, university); redress of grievances will follow University guidelines and processes through the unit, college, and the appropriate University of North Texas grievance committee.

Corrective Actions.

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 administrative leave pending an investigation of alleged misconduct. The leave pending investigation shall commence immediately upon the President or designee providing the faculty member with a written notice of the reasons.

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 misconduct may determine specific corrective actions.

- a. Oral reprimand;
- b. Written reprimand;
- c. Mandatory counseling;
- d. Reassignment to other duties;
- e. Reassignment of department;
- f. Suspension with or without pay;
- g. Restitution;
- h. Revocation of tenure and termination;
- i. Placement of the faculty member under direct supervision of the unit administrator with a specific plan for remediation for a specific period of time;
- j. Loss of summer teaching employment for those on less than twelve-month contracts;
- k. Loss of privileges of rank for a stated period not to exceed two years;
- l. Loss of merit raise(s) for a period not to exceed one year;
- m. Reduction in salary for a period of one year (the reduction would take place with the next academic year);
- n. Reduction in contract period.

Responsible Party: VP for Academic Affairs; Faculty

Sequence of Disciplinary Procedures for Administrators in Faculty Roles.

When an academic administrator or any faculty member with assigned administrative duties who is serving in a faculty role (i.e., teaching, research, and/or service) is alleged to have engaged in misconduct, the procedures listed above will be followed. The supervisor of the academic administrator is responsible for following the procedures.

Responsible Party: VP for Academic Affairs; Faculty

Record Retention.

Records will be retained in accordance with the university's records retention policy and procedures. The University complies with Texas Government Code Title 5, Open Government; Ethics, Subtitle A. Open government, Chapter 552. Public Information. Subchapter A. General Provisions.

Responsible Party: VP for Academic Affairs; Faculty

References and Cross-references.

Texas Government Code Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 552. Public Information, Subchapter A. General Provisions
Texas Education Code, Section 51.101 (3), Faculty Member

Forms and Tools. None.

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