



Part 11 – Disciplinary Action

[See Also 1-1-310 Disciplinary Action of Tenured Faculty.]

2-3-1101 Disciplinary Action of Tenured Faculty

2-3-1101(1) Internal Review.

See 1-1-310(1), Internal Review.

2-3-1101(2) Suspension.

See 1-1-310(2), Suspension, and 2-3-1101(3)(a), Initiation of Proceedings.

2-3-1101(3) Dismissal.

See 1-1-310(3), Dismissal.

2-3-1101(3)(a) Initiation of Proceedings.

Proceedings which may result in a recommendation of dismissal of a faculty member may be initiated by the President, CAO, or academic deans, by communicating said recommendation to the President. The President shall send such recommendation to the Faculty Senate Faculty Welfare Committee (Welfare Committee). The President may direct that the affected faculty member be relieved of some or all of their duties and responsibilities, without prejudice and without loss of compensation, pending the final disposition of their case.

2-3-1101(3)(b) Conduct of Proceedings.

Upon receipt of a recommendation for dismissal, the Welfare Committee shall give written notice within five working days to the faculty member affected and to the chair of the Faculty Senate. The notice shall state the charges (as prepared by the President or the CAO) and shall advise the faculty member that they have the right to a hearing before the Welfare

Committee upon making written request to said Committee not later than ten working days after receipt of the notice. Any member of the Welfare Committee who is directly involved in the case shall be disqualified.

- (I) The Welfare Committee shall within ten working days initiate a hearing of the case referred to it and may call upon anyone for relevant information. The President, CAO, and the administrative unit, in which the affected faculty member is employed, or their representatives or counsel(s), and the affected faculty member and their advisor(s)/counsel(s) may:
 - (A) be present at all meetings of the committee in which evidence or argument on the case is heard;
 - (B) present such evidence as each deems appropriate;
 - (C) call, examine and cross-examine witnesses;
 - (D) examine all documentary evidence received by the Welfare Committee;
 - (E) make recommendations to the Welfare Committee prior to the conclusion of the Welfare Committee's investigation whereupon such recommendations shall become a part of the Welfare Committee's record of the case.

If there are multiple sessions of the hearing, these shall take place within a twenty working day period. A full stenographic record of the hearing shall be taken.

- (II) After the completion of the hearing, the Welfare Committee shall file a written report within fifteen (15) working days with the Faculty Senate. The report shall contain the grounds for the Welfare Committee's conclusions and recommendations. The Faculty Senate may exercise its right of review of its Welfare Committee's actions.
- (III) Within fifteen (15) working days, after receiving the conclusion and recommendations of the Welfare Committee, a written report of the action taken by the Welfare Committee, together with the record of its review proceedings, shall be filed by the Senate with the affected faculty member, the administrative head of the college or school who initiated the proceedings, the CAO, and the President. In filing the report and record with these persons, the

Faculty Senate may also include its recommendations on the Welfare Committee's findings, conclusions and recommendations. The affected faculty member, the CAO, and the administrative heads of the college and school affected may, within ten working days after receiving copies of the Welfare Committee's report and the record, file written comments with the President.

- (IV) The President shall thereafter review the record of the case and shall formulate recommendations and the reasons therefore. The affected faculty member and the Faculty Senate shall be furnished copies of the President's recommendations and may, within ten working days after receiving same, submit to the President written comments respecting the recommendations. The full record of the case, including the recommendations of the President and any comments by the affected faculty member or the Faculty Senate, shall then be transmitted by the President to the BOT for final action.
- (V) Within ten (10) working days after the President transmits a recommendation to the BOT, the affected faculty member may submit a request in writing to the BOT for a hearing. A hearing before the BOT will be in accordance with the procedures established by the BOT which may include, but not be limited to, a subcommittee of the BOT or the appointment of a hearing officer.
- (VI) The final action taken by the BOT shall be communicated to the chair of the Faculty Senate, unit leader, the dean, the CAO and the President.