CHAPTER 8: FACULTY CODE OF CONDUCT, DISCIPLINARY ACTIONS AND DISMISSALS*

SECTION 8.1 Faculty Code of Conduct

PREAMBLE

The University seeks to provide and sustain an environment conducive to the creation and sharing of knowledge. Effective performance of these central functions requires that faculty members be free within their respective fields of competence to pursue and teach in accord with appropriate standards of scholarly inquiry and artistic expression.

The faculty’s privileges and protections, including that of tenure, rest on the mutually supportive relationships among the faculty’s special professional competencies, its academic freedom, and the central functions of the University. These relationships are also the source of the professional responsibilities of faculty members. It is the intent of the Faculty Code of Conduct to foster academic freedom and to maintain the highest standards of teaching, scholarship, and artistic expression and to advance the mission of the University as an institution of higher learning.

Section 8.1.1 sets forth the responsibility of the University to maintain conditions and rights supportive of the faculty’s pursuit of the University’s central functions. It elaborates standards of professional conduct and of appropriate faculty behavior shared across the academic profession. The faculty of the University views conduct that departs from these standards as unacceptable because it is inconsistent with the mission of the University.

Section 8.1.2 outlines the ethical principles that govern faculty behavior. They are drawn primarily from the 1966 Statement on Professional Ethics and its June 1987 revisions, issued by the American Association of University Professors. They comprise ethical prescriptions affirming the highest professional ideals. They are aspirational in character and represent objectives toward which faculty members should strive. Behavior in accordance with these principles clearly precludes the application of a disciplinary sanction.

Section 8.2 deals with the enforcement process applicable to unacceptable faculty behavior. That process must meet basic standards of fairness and is primarily the responsibility of the faculty.

SECTION 8.1.1 Professional Rights of Faculty and the Obligations of the University to Protect Them

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In support of the University’s central functions as an institution of higher learning, a major responsibility of the administration is to protect and encourage the faculty in its teaching, learning, research, creative development, and public service. It is the responsibility of the administration to observe and protect faculty rights, including:

1. free inquiry, artistic expression, and exchange of ideas;

2. presentation of controversial material relevant to a course of instruction;

3. enjoyment of constitutionally protected freedom of expression;

4. freedom to address any matter of institutional policy or action when acting as a member of the faculty, whether or not as a member of an agency of institutional governance;

5. participation in the governance of the University, including
   a. approval of course content and manner of instruction,
   b. establishment of requirements for matriculation and for degrees,
   c. appointment and promotion of faculty,
   d. selection of chairs of departments and certain academic administrators,
   e. discipline of members of the faculty, and the formulation of rules and procedures for discipline of students,
   f. establishment of norms for teaching responsibilities and for evaluation of both faculty and student achievement, and
   g. determination of the forms of departmental governance;

6. evaluation by one’s colleagues, in accordance with fair procedures and due process, in matters of promotion, tenure, and discipline, solely on the basis of the faculty members’ professional qualifications and professional conduct.

**SECTION 8.1.2 Faculty Professional Responsibilities and Ethical Principles**

This listing of faculty responsibilities and ethical principles is organized around the individual faculty member’s relation to teaching and students, to scholarship, to the University, to colleagues, and to the community. Because University discipline, as distinguished from other sanctions or administrative actions, should be reserved for faculty misconduct that is either

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serious or is made serious through its repetition or its consequences, the following general principle is intended to govern all instances of its application:

University discipline under this Code may be imposed on a faculty member only for conduct that is not consistent with the Ethical Principles and that significantly impairs the University’s central functions as set forth in the Preamble.

Section 8.1.2.1 Teaching and Students

Ethical Principles

“As teachers, the professors encourage the free pursuit of learning of their students. They hold before them the best scholarly standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student’s true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.” (AAUP Statement, 1966; Revised, 1987)

The integrity of the faculty-student relationship is the foundation of the University’s educational mission. This relationship vests considerable trust in the faculty member, who, in turn, bears authority and accountability as mentor, educator, and evaluator. The unequal institutional power inherent in this relationship heightens the vulnerability of the student and the potential for coercion. The pedagogical relationship between faculty member and student must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the University. Whenever a faculty member is responsible for academic supervision of a student, a personal relationship between them of a romantic or sexual nature, even if consensual, is inappropriate. Any such relationship jeopardizes the integrity of the educational process. See Chapter 6, “Integrity of the Academic Environment.”

In this section, the term student refers to all individuals under the academic supervision of faculty.

Section 8.1.2.2 Scholarship

Ethical Principles

“Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence.

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They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.” (AAUP Statement, 1966; Revised, 1987)

Section 8.1.2.3 Faculty and the University

Ethical Principles

“As a member of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of the work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.” (AAUP Statement, 1966; Revised, 1987)

Section 8.1.2.4 Faculty and Colleagues

Ethical Principles

“As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas, professors show due respect for the opinions of others. Professors acknowledge academic debts and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.” (AAUP Statement, 1966; Revised, 1987)

Section 8.1.2.5 Faculty and the Community

Ethical Principles

“Faculty are simultaneously members of the public sphere, of learned professions, and of the University. When they speak as experts, i.e., within their own professional areas, they are entitled to identify themselves as members of the University. When they speak or write as private individuals, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As members of the academic community, they should remember that the public may judge their profession and the University by what they say. Hence, they should at all times be accurate, should exercise

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appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the University in any official capacity.”
Faculty Handbook, Chapter 3.2.5.

Section 8.2 Procedures for Disciplinary Actions and Dismissals

SCOPE

This section applies to all corrective actions and dismissals for cause of faculty. This section does not apply to faculty on appointments of less than a year or on the first one-year appointment. Corrective actions and dismissals for cause should not be confused with non-reappointment or termination, as discussed in Chapter 4, “Faculty Appointments, Promotion and Tenure.”

SECTION 8.2.1 Types of Disciplinary Actions and Dismissal

a. Disciplinary actions may include a written warning, written censure, or suspension without pay for adequate cause, including but not limited to misconduct, dereliction of duty or violation of University policy.

   (1) A written warning is a communication that informs the faculty member of the nature of the misconduct, the method of correction, and the probable consequence of continued misconduct. A written warning is to be distinguished from an informal spoken warning. An informal spoken warning or a letter outlining performance expectations is not an official disciplinary action.

   (2) A written censure is a formal written expression of institutional rebuke that contains a description of the censured misconduct. A written censure must be delivered to the recipient and a copy must be maintained in a designated file or files, or for the period of time specified in the censure.

   (3) A suspension is debarment without pay from appointment responsibilities for a stated period of time. Unless otherwise noted, the terms of a suspension will include loss of normal employee privileges such as access to University property and parking and library privileges.

b. Dismissal is the termination of an appointment for adequate cause (unfitness as a teacher, researcher/artist or practitioner) initiated by the University prior to the ending date of appointment.

c. Disciplinary actions and/or dismissals may arise as a result of actions that violate the University’s ethical principles and/or the University’s Equal Opportunity and

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Affirmative Action (EO) policies. See Chapter 6.

SECTION 8.3 PROCEDURES FOR DISCIPLINARY ACTIONS

Procedures against faculty may originate in an Equal Opportunity/Anti-Discrimination grievance, a research misconduct violations or other grounds. Initial procedures pertaining to allegations of unlawful discrimination, harassment or retaliation against faculty, are specified in Chapter 6, “Integrity of the Academic Environment.” Initial procedures pertaining to allegations of research misconduct are outlined in Chapter 5. Initial procedures for other grievances are outlined below in 8.3.1-8.3.4.

8.3.1 Informal Resolution

Prior to instituting a disciplinary action or dismissal, efforts may be made to resolve the issue(s) informally. The relevant department chair, dean or academic director may invite the faculty member to meet with him or her in a personal conference to discuss the problem, its possible resolution, and the possibility of disciplinary actions if it is not resolved.

8.3.2 Making A Recommendation for Disciplinary Actions other than Dismissal

Recommendations for disciplinary actions should originate in a faculty body such as an academic department and be referred to a standing elected committee of full-time faculty who do not hold positions as Associate Deans or Provosts (for example, an executive committee or a school grievance committee). The faculty committee will review the case and forward its recommendations in writing to the dean/academic director. If, after reviewing the faculty committee’s report, the dean/academic director elects to proceed, he/she will forward the recommendation for an official disciplinary action to the Senior Vice President for Academic Affairs and Provost, including a detailed statement of charges and recommended disciplinary actions (see 8.2.1).

The Senior Vice President for Academic Affairs and Provost will inform the President of the process and review the charges to make his/her own determination of the appropriate corrective action. He or she may also seek the counsel of the Senate Committee of Faculty Tenure, Freedom and Responsibilities (FTFR) and the General Counsel’s office.

8.3.3 Written Notice of Intent

Representing the University, the Senior Vice President for Academic Affairs and Provost shall provide a written Notice of Intent to the faculty member prior to initiating the disciplinary actions. The Notice shall state:

(1) the intended action, including reasons for the action and the proposed effective date;

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(2) the basis of the charges, including copies of pertinent materials supporting the charges;

(3) the faculty member’s right to respond in writing within ten (10) working days of the date of issuance of the written Notice of Intent; and

(4) The name of the person to whom the faculty member should respond.

A Notice of Intent is not required for a written warning.

8.3.4 Response to Written Notice of Intent

The faculty member who receives a written Notice of Intent shall be entitled to respond, in writing, within ten (10) working days of the date of issuance of the written Notice of Intent. The response, if any, shall be reviewed by the faculty committee that reviewed the case at the school level. That committee shall prepare its own response/recommendation and forward to the Dean and to the Senior Vice President for Academic Affairs and Provost within (14) calendar days.

8.3.5 Written Notice of Action for all Grievances

If the University justifies disciplinary action following the review of all timely responses, if any, from the faculty member and the faculty review committee or the Senate Committee on Equal Opportunity Grievances or the Research Misconduct Grievance Committee, and within thirty (30) working days of the date of issuance of the written Notice of Intent, the designated representative of the President shall issue a written Notice of Action to the faculty member of the disciplinary action to be taken and its effective date. In cases of disciplinary actions due to alleged research misconduct and/or EO policy violations, the chair of the EO Grievance Committee or the Research Misconduct Grievance Committee shall also receive the notice of action. Based on this Notice of Action, the faculty member has the right to appeal all disciplinary actions to the University Senate Committee of Faculty, Tenure, Freedom, and Responsibility (FTFR). The Notice of Action may not include an action more severe than that described in the Notice of Intent.

8.3.6 Appeal Hearings of Disciplinary Actions

If the faculty member elects to proceed with an appeal to FTFR, a hearing committee shall be constituted as soon as practical and will proceed to hear the appeal of the case according to the normal procedural practices outlined in the Senate By-Laws and below.

8.3.6.1 Conflict of Interest

Members of FTFR shall be recused from the case, either at the request of the respondent, the complainant, or the designated representative of the President, or on their own
initiative, if they deem themselves disqualified for reasons of bias or personal interest. The place of a member of the Committee shall remain vacant unless a substitute has been elected by the faculty of the division prior to the date fixed for the hearing. The final authority for resolving conflicts of interest rests with the chair of FTFR.

8.3.6.2 Confidentiality

Appeal hearings shall be private.

8.3.6.3 Burden of Proof

The burden of proof in challenging the disciplinary action shall rest upon the faculty member making the appeal.

8.3.6.4 Evidence

The FTFR Committee shall not be bound by strict rules of legal evidence. The Committee will offer all parties the opportunity to present witnesses, documents, or other evidence they consider relevant. FTFR has the discretion to determine what evidence or witnesses are relevant to the issues involved.

8.3.6.5 Representation

Faculty members may bring a full-time faculty member of the University as an advisor to the appeal hearing. The advisor shall not receive any compensation for this service. The role of the advisor is to serve in a consulting capacity. An advisor may not address the committee directly.

All parties may be accompanied by legal counsel at the appeal hearing and should notify the Chair of their intention to be so accompanied. Legal counsel may not address the committee directly.

8.3.6.6 Process

a) The Chair of FTFR shall be responsible for conducting the hearing and shall rule on all evidentiary questions. The chair shall set the order of argument and of presentation and may exclude irrelevant or unduly repetitious evidence or arguments.

b) The Committee’s recommendations must be in accordance with established University policies including those contained in the Faculty Handbook and the faculty member’s appointment letter.

c) A full written or audiovisual record of the hearing shall be maintained and made

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available upon request only to the parties, FTFR members, to the President of the University or his/her designee. The record shall be kept for at least one year after the conclusion of the appeal process.

8.3.7 Outcomes

At the conclusion of the hearing, as promptly as is consistent with due deliberation and, in any event, not later than fifteen (15) working days thereafter, the Committee shall make its recommendation. The findings of fact and recommendation of the Committee shall be based solely on the record of the hearing. The recommendations shall be in writing, shall state the basis for the decision, and shall recommend any proposed action. The written recommendation shall be provided to the appellant, the Senior Vice President for Academic Affairs, the President or the President’s representative, and/or any other parties to the appeal.

The Provost will review these findings and recommendations and will make his/her own recommendations within fifteen (15) working days to the President and Board of Administrators. The President and Board of Administrators shall take final action within fifteen (15) working days of receipt of the Provost’s recommendations.

SECTION 8.4 ADEQUATE CAUSE FOR DISMISSAL

The term adequate cause shall means unfitness as a teacher, researcher, artist, or practitioner performing clinical services for serious reasons which include but are not limited to neglect of duty, incompetence, violations of academic freedom, gross personal misconduct, research misconduct, violations of the University’s conflict of interest policy, or violations of the University’s Equal Opportunity and Anti-Discrimination policies. Dismissal shall not be used to restrain faculty members in their exercise of academic freedom or other rights as faculty.

SECTION 8.5 DISMISSAL PROCEDURES

Procedures against faculty may originate in an Equal Opportunity/Anti-Discrimination grievance, a research misconduct violations or other grounds. Initial procedures pertaining to allegations of unlawful discrimination, harassment or retaliation against faculty, are specified in Chapter 6, “Integrity of the Academic Environment.” Initial procedures pertaining to allegations of research misconduct are outlined in Chapter 5. Initial procedures for other grievances are outlined below in 8.5.1

Every action to dismiss a faculty member then follows the hearing procedures described in 8.5.2 The full set of faculty rights enumerated herein must be observed.

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8.5.1 Preliminary Inquiry
(skip to 8.5.2 for EO/Anti-Discrimination Violations and Research Misconduct cases)

Step 1:

A. When reason arises to consider whether cause exists to dismiss a faculty member who has tenure or whose term of appointment or contract has not expired, the relevant dean or academic director shall invite the faculty member to meet with him or her in a personal conference to discuss the problem, its possible resolution, and the possibility of dismissal proceedings if it is not resolved. The dean's consideration of recommending dismissal for cause shall be based on a thorough inquiry into the circumstances.

B. At the level of the school, an elected faculty committee (such as an executive or grievance committee) shall conduct its own inquiry into the case which may, failing to reach an acceptable settlement, determine whether in its opinion dismissal procedures should be undertaken. The committee's recommendations are not binding on the dean. However, the committee’s written report of its assessment is to be included in the dossier if the action is to proceed.

C. During Step 1, the dean may write a preliminary statement of charges with reasonable particularity of the grounds pertinent to the dismissal action under consideration. If the dean does so, a copy of the preliminary statement shall be given to the faculty member for the faculty member's written comments. The dean may also elect to provide evidence in writing to the faculty member and invite comment on that as well, and if the dean does so the faculty member shall be allowed fifteen (15) working days from the date on which the charges were sent to him or her to provide in writing his or her comments on the evidence to the dean. If the dean receives such comments on the preliminary statement, the evidence or both, and has not yet consulted with a faculty committee as provided above, the dean will share the comments with the committee as part of the consultation.

D. If the dean continues to believe that there is probable cause for dismissal, the dean shall forward his or her recommendation to the Senior Vice President for Academic Affairs and Provost, together with any preliminary statement or evidence (which has been shared with the faculty member), comments submitted by the faculty member, and the faculty committee’s report. The Provost will inform the President of the University of the process.

Step 2:

If the Senior Vice President for Academic Affairs and Provost does not believe there is cause for dismissal, he or she shall dismiss the case within fourteen (14) working days after receipt of the dean’s recommendation. The Senior Vice President for Academic Affairs and
Provost may elect an alternative disciplinary action in lieu of dismissal. If he or she does believe there is adequate cause for a dismissal, he or she shall formulate a preliminary statement of charges with reasonable particularity of the grounds pertinent to the dismissal action under consideration within fifteen (15) working days after receipt of the recommendations of the dean or the Senate Committee on Equal Opportunity and Anti-Discrimination Grievances Against Faculty. A copy of the charges and grounds shall be given to the faculty member for the faculty member's comment to the Provost. The faculty member shall have fifteen (15) working days to respond to the Provost.

Step 3:

The faculty member concerned, upon written request made within twenty (20) working days following delivery of such statement of charges, shall have the right to be heard by a Committee composed of the members of the Senate Committee on Faculty, Tenure, Freedom and Responsibility (FTFR). If the faculty member waives his or her right to a hearing in writing or does not deny the charges in writing within said twenty (20) day period, the case moves to Section 8.7 below.

8.5.2 Hearing Proceedings

A. Members of FTFR shall be recused from the case, either at the request of the respondent, the complainant, or the designated representative of the President, or on their own initiative, if they deem themselves disqualified for reasons of bias or personal interest. The place of a member of the Committee shall remain vacant unless a substitute has been elected by the faculty of the division prior to the date fixed for the hearing. The final authority for resolving conflicts of interest rests with the chair of FTFR.

B. As soon as practicable after receipt of a written request for a hearing and in any event within twenty (20) working days, FTFR shall serve the faculty member and the President or the President's designated representative a copy of the statement of charges and written notice of the place and date of the hearing/appeal. In cases for dismissal due to alleged research misconduct and/or EO policy violations, the chair of the EO Grievance Committee or the Research Misconduct Grievance Committee shall also be notified and will be parties to the hearing. The hearing shall be fixed for a date not sooner than twenty (20) working days nor later than forty (40) working days after the delivery of the notice.

C. The hearing shall be private.

D. In a hearing involving charges of incompetence, the testimony shall include that of qualified faculty members from Tulane or other institutions of higher education.

E. The faculty member and the designated representative of the President (and, if applicable, the chair of the EO Grievance Committee and/or the Research Misconduct
Grievance Committee) shall be afforded the opportunity to speak directly to FTFR and present necessary witnesses and documentary or other evidence. The designated representative of the President shall, insofar as it is possible, secure the cooperation of such witnesses and make available necessary documents and other evidence within his/her control.

F. During the proceedings both the faculty member and the designated representative of the President shall be permitted to have legal counsel and an academic advisor. All sides shall have the opportunity to address FTFR and question witnesses by submitting their questions in writing to the committee chair, who will have the discretion to decide what questions to pose to witnesses. A record of all questions submitted to the chair must be retained. Neither legal counsel nor the advisers may speak for either party or question witnesses directly. When the witness cannot or will not appear, FTFR shall seek a written statement from the witness.

G. At the request of any party or FTFR, a representative of a responsible educational association shall be permitted to attend the proceedings as an observer. Other representatives may be admitted or excluded at the discretion of FTFR.

H. A verbatim written and/or audiovisual record of the hearing or hearings shall be taken, and a copy shall be made available to the parties without cost.

I. The burden of proof that adequate cause exists rests with the University and shall be satisfied only by a clear preponderance of the evidence.

J. FTFR shall grant adjournments of reasonable periods of time, not to exceed ten (10) working days, to enable any of the parties to investigate evidence about which a valid claim of surprise is made.

K. FTFR shall not be bound by strict rules of legal evidence and may admit any evidence which is of relevant value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available.

SECTION 8.6 Outcomes

A. As soon as practicable and in any event not later than ten (10) working days following receipt of a transcript of the hearing, FTFR will make explicit findings of fact and arrive at conclusions based solely on the hearing record with respect to each of the charges contained in the statement of charges and shall give a concise statement of its reasons for so finding and concluding. The findings, conclusions and statement of its reasons shall be promptly delivered to all parties.
B. As soon as practicable and in any event within ten (10) working days following receipt of FTFR’s findings, conclusions, and statement of reasons, the President shall either accept or reject FTFR’s report. If the President rejects all or any portion of the report, the President shall promptly notify the committee and all parties stating the reasons for such rejection in writing and allow ten (10) working days for response FTFR before transmitting the case to the Board of Administrators.

C. Should questions involving procedure relating to the hearing arise before or during the hearing which are not covered by this statement, FTFR shall decide such questions.

D. Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by any of the parties (and their legal counsel and/or advisers) members of FTFR, administrative officers of the University, or members of the Board of Administrators, shall be avoided as far as possible until the proceedings, including consideration by the Board of Administrators of Tulane University, and appeal action, as provided in Section 8.7 below, if any, shall have been completed and communicated to the parties.

E. Statements of charges, notices of hearings and all other notices or communications required or permitted by this policy shall have been correctly served if delivered by hand or sent certified mail to all the parties and the President or the University's counsel.

SECTION 8.7 Actions by the Board of Administrators of Tulane University

8.7.1

The faculty member who is dismissed shall have the right to a review of the finding for dismissal by the Board of Administrators or a committee appointed by it for this purpose. In the event that the faculty member desires the Board to review the matter, he or she shall within ten (10) working days of receipt of the final action by the President request such review in writing and send or deliver a copy of such request to the President. The President shall thereupon transmit the complete record of the proceedings, including the findings, conclusions and statement of reasons by FTFR and the action of the President with relation thereto, to the Board of Administrators. On or before thirty (30) working days following the date on which the faculty member filed a request for a review by the Board of Administrators, the faculty member may submit a brief or memorandum in support of the faculty member's position setting forth reasons why the dismissal or other recommended penalty should not be imposed.

8.7.1.1

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The Board of Administrators will set a time and place for argument by the faculty member and by the President’s designated representative. The Board's review will be based solely on the record of the proceeding before FTFR.

8.7.2

In the event that after the hearing the Board disagrees with the findings and conclusions of FTFR, it will return the proceedings to the committee with its findings and conclusions. FTFR shall within twenty (20) working days thereafter reconsider its findings and conclusions and may receive new evidence if the receipt of evidence is necessary and thereafter return the proceedings to the Board together with its report on the results of its reconsideration and such additional findings and conclusions as may be required by any new evidence received. The Board of Administrators shall make a final decision contrary to FTFR’s report on reconsideration only after a conference between the President or the President's designated representative, three members of the Board, and three members of FTFR convened for the purpose of attempting to reconcile the conflicting opinions.

SECTION 8.8 Protections During the Hearing/Appeal Process

8.8.1 Administrative Leave

The Senior Vice President for Academic Affairs and Provost may temporarily separate a faculty member from his or her duties before a hearing process is finalized or an unlawful discrimination, harassment, or retaliation investigation is initiated under Chapter 6.3 without loss of pay and usual faculty privileges, if it is the Provost’s judgment that immediate harm to the faculty member or others is threatened by his or her continuance and that extraordinary circumstances warrant the action.

The faculty member retains the right to file a grievance seeking an end to the temporary separation. During the separation period, the faculty member may consult with members of the University community, except those persons or categories of persons with whom the Provost expressly prohibits or restricts contact. The University shall make reasonable efforts to protect the continuity of the academic work of students, faculty and staff who are adversely affected. The Provost shall consult with the dean of the relevant school during the temporary separation and indicate the reasons underlying any prohibited or restricted contact between the faculty member and other members of the University community.

8.8.2 Other Protections in Connection with Dismissal Proceedings

A faculty member may not be dismissed nor, except as specified above, may his or her compensation be cut off or withheld before the dismissal procedure has been completed and the President and the Board of Administrators have made a final decision.

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8.8.3 Implementation of Dismissals

Dismissal decisions will be implemented after the hearing and, if applicable, all the appellate processes have been exhausted.