

Proposed Faculty Misconduct and Discipline Policy 2025-2026

1. PURPOSE

The Faculty Discipline Policy is designed to maintain high standards of professional conduct among faculty while safeguarding academic freedom and due process. The policy provides a clear and equitable process for addressing alleged misconduct, ensuring accountability, preserving trust within the academic community, and supporting the institution's educational mission.

Certain misconduct allegations are excluded from this policy because of different policies and procedures which address the alleged conduct. These include

- 1.1 Sexual misconduct (SAM.01.d.08)
- 1.2 Discrimination and harassment (UHCL Anti-Discrimination Policy)
- 1.3 Dismissal for cause ([UHCL 04.A.02 AP - Faculty Dismissal](#))
- 1.4 Research misconduct (link TBD)

2. DEFINITIONS

- 2.1 Faculty – includes faculty who hold both non-tenure track (UHCL 02.A.01 AP) and tenure-track/tenured (UHCL 02.A.04 AP) positions. This policy does not extend to faculty with adjunct (UHCL 02.A.03 AP) appointments. Allegations of misconduct against adjunct faculty are managed at the Dean's discretion.
- 2.2 Grievance Committee – A committee of faculty assigned to make recommendations regarding a filed grievance (see Grievance Policy).
- 2.3 Discipline – A sanction the University imposes upon a faculty member subsequent to a finding that the faculty member has: (a) violated a University, UH System, and/or Board of Regents policy or rule; (b) engaged in conduct that adversely affects the faculty member's performance of employment responsibilities; (c) engaged in conduct outside of the scope of employment that adversely affects the mission or reputation of the University (e.g. commission of a crime).

3. POLICY

- 3.1 Misconduct spans a range of behaviors that violate policies, procedures, and/or standards of professional conduct, including behavior that reflects respect, integrity, and collegiality, in such a way that impedes the functioning of the university. These can range from minor neglect of academic responsibilities and lapses in professional judgement to serious academic, professional, ethical, and/or criminal misconduct. No list of examples can be exhaustive, but a few examples of relatively serious forms of misconduct are:

- 3.1.1 Gross Neglect & Failure to Perform - Gross neglect of duty or failure to

perform the terms of employment for reasons other than documented illness or injury.

3.1.2 Violation of Rules, Policy, or Law -- Violation of the Board of Regents rules, university policies, or state or federal law.

3.1.3 Violation of Conduct Related to Resource Use -- Violation of professional 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.

3.1.4 Disruption of university operations - Action(s) that disrupt operations, 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.

3.1.5 A failure to remediate patterns of minor misconduct (see 4.1.1)

4. TYPES OF DISCIPLINE

4.1 Disciplinary action is normally iterative and falls into two general categories: informal discipline and formal discipline according to the level of alleged misconduct.

4.1.1 *Informal discipline* constitutes sanctions that include but are not limited to:

- a. Verbal reprimand
- b. Written reprimand
- c. Required coaching, training, or professional development.
- d. Mandated mediation
- e. Intensified monitoring of work behavior and performance.

Informal discipline sanctions may be imposed by a faculty member's department chair or dean if the preponderance of the evidence establishes that the alleged misconduct occurred.

4.1.2 *Formal discipline* constitutes sanctions that include but are not limited to:

- a. Reduction in the annual review evaluation score.
- b. Restitution (should the misconduct relate to resource use).
- c. Stripped of titles and relieved of duties (for faculty with administrative roles).
- d. Ineligibility for promotion or salary increases.
- e. Reduction in pay.
- f. Suspension with pay.
- g. Suspension without pay (may not exceed one year).

h. Demotion (tenure is unaffected)

Formal discipline sanctions may only be imposed by a faculty member's dean and only if the preponderance of the evidence establishes that the alleged misconduct occurred.

Evaluating whether a faculty member's alleged misconduct is minor or serious requires professional discretion while fostering uniform standards across all colleges. Consultation with Human Resources is permitted for the purpose of maintaining uniform sanctions. In certain circumstances, it may be appropriate to consider the faculty member's record, as a whole, when contemplating imposition of disciplinary action. For example, a single violation may be handled without administrative intervention whereas the same failure repeatedly in the face of multiple warnings may rise to a higher level.

- 4.1.3 In cases of gross wrongdoing, or where attempts at discipline have not successfully remedied performance concerns, a faculty member may be *Dismissed* for cause (UHCL 04.A.02 AP – Faculty Dismissal).

4.2 Faculty members retain the right to grieve disciplinary actions. If the faculty member objects to informal discipline imposed by their department chair, they should first appeal to their Dean. For all discipline upheld or imposed by their Dean, faculty may file a grievance against the Dean under the regular terms of the Faculty Grievance Procedure which will automatically go to a Grievance Committee, and the faculty member may submit a rebuttal letter to the imposition of discipline, disputing the grounds for the administrator's decision, to be included in the faculty member's personnel file.

4.3 If a faculty member chooses to grieve a finding of misconduct and the corresponding sanction, the sanction will not be imposed until the conclusion of the grievance process. However, for cases where the recommended sanction is leave, faculty and administrators with faculty appointments may be placed on paid administrative leave – which is a non-disciplinary status – for the duration of the investigation and grievance process.

5. PROCEDURE

5.1 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 an administrator otherwise learns of faculty misconduct. Resolution of the matter may occur at any point in 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 their own behalf and may seek advice and assistance from a representative, including their personal counsel.

If a member of the university community believes that a faculty member has engaged in misconduct that cannot be informally resolved with the faculty member, they should inform that faculty member's department chair and provide any supporting evidence. The University recognizes that it is the department chair who has primary responsibility for supervising faculty members. It is the role of the

department chair to monitor faculty performance and communicate concerns to faculty members and to the dean.

5.2 The department chair should investigate the alleged behavior while respecting to every extent practicable the confidentiality and dignity of all parties. This begins with a meeting with the faculty member. The purpose of such informal consultation is to

reconcile disputes early and informally, when that is appropriate, by clarifying the issues involved, resolving misunderstandings, considering alternatives, noting applicable bylaws and/or policies. When in any doubt as how to proceed, the department chair should engage the help of Human Resources. The Chair can make one of three determinations:

5.2.1 *No misconduct* – If the department chair determines that the allegations lack sufficient evidence, or that the behavior does not rise to a level requiring administrative intervention, the chair will notify the faculty member in writing that no further action will be taken and the matter is closed.

5.2.2 *Minor misconduct* - If the department chair determines by the preponderance of the evidence that the alleged misconduct happened but is minor, the chair may then propose some form of informal discipline (4.1.1). The department chair will provide the faculty member with written notice of the findings and the proposed discipline. The faculty member may then submit a written appeal to their dean within 10 business days. If the Dean agrees with the proposed discipline, the faculty member will be provided with written notification of the Dean's decision. The faculty member may utilize the grievance procedure if they feel this discipline is unfair (4.2). If a faculty member objects to the finding of misconduct or the proposed sanction, they may submit a grievance within 10 business days after receiving notice of the proposed sanction by the Dean. This grievance is filed against the Dean and goes directly to the Grievance Committee formation step in the Grievance Policy (UHCL 08.A.02 AP – Section 5.2). If the faculty member does not file a grievance within 10 business days after receiving notice of the proposed sanction, the sanction is considered accepted and is implemented. If the faculty member does file a grievance, but the Provost finds that misconduct occurred and assigns an associated sanction, the sanction is implemented upon the Provost's decision. The faculty member will receive written notification of the Provost's decision on whether misconduct occurred and any associated sanction as per the Faculty Grievance Policy.

5.2.3 *Serious misconduct* - If the department chair determines that the allegations of misconduct are serious, rising above what can be addressed through informal discipline, the chair will provide the faculty member with written notice of the findings and will refer the matter to their dean. The dean then proceeds with the investigation. The dean may likewise utilize Human Resources and other university departments. If the dean determines by a preponderance of evidence that the allegation is true and agrees it is serious, the dean may then propose some form of formal discipline sanction (4.1.2). The dean may proposed some form of informal discipline sanction if the dean finds that the allegation does not warrant a formal discipline sanction. The dean will then provide the faculty member with written notice of the findings and the recommended sanction. If the faculty

member believes the finding of misconduct or the sanction is unfair, they may submit a grievance within 10 business days after receiving notice of the proposed sanction by the Dean. This grievance is filed against the Dean and goes directly to the Grievance Committee formation step in the Grievance Policy (UHCL 08.A.02 AP – Section 5.2). If the faculty member does not file a grievance within 10 business days after receiving notice of the proposed sanction, the sanction is considered accepted and is implemented. If the faculty member does file a grievance, but the Provost finds that misconduct occurred and assigns an associated sanction, the sanction is implemented upon the Provost's decision. The faculty member will receive written notification of the Provost's decision on whether misconduct occurred and any associated sanction as per the Faculty Grievance Policy.

5.3.3.1 – If, during a misconduct investigation, the dean finds evidence of misconduct that rises to a dismissal-level offense, the dean may refer the matter to the Provost for Dismissal. The misconduct procedure is put on hold and the dismissal procedure is used ([UHCL 04.A.02 AP - Faculty Dismissal](#)). One potential finding from a dismissal case is that misconduct occurred but does not rise to a dismissal level offense. If so found, the matter returns to the misconduct procedure.

5.3 Administrators with Faculty Appointments -- Any violation of this policy or related policy by an administrator with a faculty appointment shall be investigated as alleged faculty misconduct. When an academic administrator or any faculty member with assigned administrative duties is alleged to have engaged in misconduct, the supervisor of the academic administrator is responsible for ensuring that the disciplinary procedures are followed. When an academic administrator below the Dean level is alleged to have engaged in misconduct, the respective Dean is responsible for ensuring that disciplinary procedures are followed. When a Dean is alleged to have engaged in misconduct, the Provost takes on the responsibility of the Dean.

5.5 The University of Houston-Clear Lake strictly prohibits retaliation in any form against any faculty member, employee, or student who in good faith reports faculty misconduct, assists in an inquiry, or participates in a related investigation or proceeding. Retaliation is a severe independent violation and will result in disciplinary action, up to and including termination of employment.

6. RECORDS

Upon completion of the disciplinary process, all recordings, documents and materials related to the discipline procedure will be forwarded to Human Resources for storage, according to guidelines set by UH System policy.