

Proposed Faculty Discipline and Misconduct Policy 2025-2026

1. PURPOSE

The Faculty Discipline Policy is designed to guarantee due process for faculty accused of misconduct. It is a basic principle of justice that sanctions to be scaled to the offense. Without this policy, options to remediate faculty misconduct are to do nothing – which does not deter minor offenses – or terminate the offending faculty member, which is excessive for all but the most major offenses. The intent is to uphold accountability while preserving faculty dignity, academic freedom, and institutional trust. This policy will apply in case of allegations of misconduct. In all cases governed by these procedures, it is imperative that the right of presumed innocence of the accused be recognized, and that the rights of confidentiality and due process for all parties are afforded equal protection. All parties are protected from retaliation for their actions undertaken under this policy. This document outlines the procedures that will be followed when addressing alleged faculty misconduct.

2. DEFINITIONS

2.1 Faculty – includes faculty who hold both non-tenure track (Faculty Handbook 2.4) and tenure-track/tenured (Faculty Handbook 2.1) positions. This policy does not extend to faculty with adjunct (Faculty Handbook 2.6) appointments.

2.2 Grievance Committee – A committee of faculty assigned to make recommendations regarding a filed grievance (see Grievance Policy).

3. POLICY

3.1 The University of Houston – Clear Lake (“University”) encourages fair, efficient and equitable solutions for investigating and resolving allegations of misconduct against faculty members.

3.2 The following actions are not addressed by this policy because there are other policies or processes in place. These include:

3.2.1 Sexual misconduct ([SAM.01.d.08](#))

3.2.2 Discrimination and harassment ([UHCL Anti-Discrimination Policy](#))

3.2.3 Dismissal for cause ([UHCL Dismissal Policy](#))

3.2.4 Research Misconduct (link)

3.2.5 Grievances (link to grievance).

3.3 Misconduct spans a range of behaviors that violate policies, procedures, and/or social norms 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:

3.3.1 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.

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

3.3.3 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.

3.3.4 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.

3.3.5 An inability to remediate patterns of minor misconduct.

3.3.6 Repeated performance deficiencies after coaching.

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 involves 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.

3.4 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.

4. TYPES OF PROGRESSIVE 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: verbal reprimand, written reprimand, mandatory training, coaching, mediation, reduction in the annual review evaluation score, and intensified monitoring of behavior and performance. Informal discipline sanctions may be imposed by a faculty member's department chair or dean if there is a *preponderance of evidence* (it is more likely than not) that the alleged misconduct occurred.
- 4.1.2 *Formal discipline* constitutes sanctions that include but are not limited to: reduction in the annual review evaluation score, ineligibility for merit increases, restitution, reassignment of duties, suspension with or without pay or temporary or permanent reduction in appointment (e.g. reduction in rank with the attendant promotion raise; tenure is unaffected). A full suspension without pay may not exceed one year. Formal discipline sanctions may only be imposed by a faculty member's dean and only if there is *clear and convincing evidence* that the alleged misconduct occurred.
- 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 (link to 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.

5. PROCEDURE

- 5.1 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. 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 all 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, and noting applicable bylaws. When in any doubt as how to proceed, the department chair should engage the help of Human Resources.

5.2.1 *Minor misconduct* - If the department chair determines that the alleged misconduct is true (more likely than not) but is also minor, the chair may then impose some form of informal discipline (4.1.1). The faculty member may then appeal to their dean within 10 business days. If the Dean agrees with the proposed discipline, the faculty member may utilize the grievance procedure if they feel this discipline is unfair (4.2).

5.2.2 *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 should 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 there is clear and convincing evidence the allegation is true and agrees that it is serious, the dean may then impose some form of formal discipline sanction (4.1.2). The dean may impose some form of informal discipline sanction if the dean finds that the allegation does not warrant a formal discipline sanction or is merely “more likely than not” to be true. Regardless, the faculty member may then utilize the grievance procedure if they feel this sanction is improper.

5.2.3 Whether misconduct is minor or serious is a matter of judgement. This judgement should be consistent across faculty members and across colleges. 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, failure to submit grades on time may be minor misconduct by itself, while failure to do so repeatedly in the face of multiple warnings is a serious offense.

5.3 If a faculty member objects to 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. The Grievance Committee may recommend the sanction be upheld. It may also recommend the sanction be changed, or, if they believe the allegation is unsubstantiated, recommend the sanction be rescinded and an appropriate notation be made in the file of the accused.

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.