



Policy Chapter: Chapter 6 Faculty Affairs

Policy Number and Title: 06.025 Faculty Misconduct and Discipline

I. Policy Statement

As members of the community of scholars, we recognize that faculty members have an obligation to perform their duties in a responsible manner and with intellectual honesty. Misconduct may occur when a faculty member significantly, repeatedly, and/or deliberately does not fulfill their duties and responsibilities as described in UNT Policy. At the University of North Texas (UNT), the faculty and administration take an active role in developing an atmosphere that promotes academic freedom, protects faculty rights, and affirms disciplinary action in the rare cases when it is determined that a faculty member engages in misconduct. This document outlines the procedures that will be followed when addressing alleged faculty misconduct.

A. Exclusions

Certain misconduct allegations are adjudicated under the auspices of a different policy and/or process. These include research misconduct as defined in UNT Policy 13.006, fraud or other criminal acts, findings or sanctions related to Title IX and sexual misconduct as described in UNT Policy 16.005, and discrimination and retaliation as described in UNT Policy 16.004.

II. Application of Policy

All Faculty, including Administrators with Faculty Appointments

III. Policy Definitions

B. Business Day

“Business day,” in this policy, means Monday through Friday during regular university business hours (8:00 a.m. - 5:00 p.m.), when university offices are open.

C. Conflict of Interest

“Conflict of interest,” in this policy, means an inconsistency between one’s personal or professional interests and the best interests of the University. Direct involvement with the substance of the allegation also constitutes a conflict of interest.

D. Faculty Advocate

“Faculty Advocate,” in this policy, means a UNT faculty member whose role is to clarify aspects of the misconduct process and/or answer questions regarding the accused faculty member’s case.

E. Faculty Member

“Faculty Member,” in this policy, means a person who is employed by UNT in a faculty appointment, whose duties include teaching, research, and/or administration, including professional librarianship.

F. Grievance

As described in UNT Policy 06.051, "Grievance," in this policy, means a faculty member's formal expression of disagreement or dissatisfaction (through written notice to the appropriate academic administrator) with employment-related concerns, such as working conditions, hours of work, compensation, environment, relationships with supervisors or other employees, or negative personnel decisions. A grievance may be made at any level during the process.

G. Response

"Response," in this policy, means an expression in writing by a faculty member or a representative the faculty member delegates concerning an allegation that the faculty member engaged in misconduct resulting in a recommendation of corrective action.

H. Unit Administrator

"Unit Administrator," in this policy, means an individual with unit supervisory responsibilities. Unit administrators include, but are not limited to directors, chairs, associate deans, and deans.

IV. Policy Responsibilities

A. Misconduct

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

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.

2. Violation of Rules, Policy, or Law

Violation of the Board of Regents rules, university policies, or state or federal law.

3. Violation of Conduct Related to Resource Use

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. Actions that Impair or Create Clear & Present Danger

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.

B. 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.

C. 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 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 faculty advocate or other representative, including their personal counsel.

D. Sequence of Disciplinary Procedures for Faculty Members

Corrective actions stemming from findings of misconduct investigated under the auspices of the policies listed under Exclusions shall be imposed under the procedures defined in this policy. The duty to recuse in the case of a conflict of interest shall extend to all decision-makers at any stage of the process.

1. Pending of Corrective Action

If a faculty member chooses to grieve a finding of misconduct and corrective action, no corrective action shall be taken until the conclusion of the grievance process. However, faculty and administrators with faculty appointments may be placed on leave during an investigation, pursuant to UNT Policy 05.066. Unit administrators may make workload adjustments during the investigative process.

2. Departmental-Level Procedures

Within ten (10) business days of learning of an allegation, other credible evidence of faculty misconduct, or a finding of misconduct under the auspices of different policy/process, the unit administrator notifies the faculty member in writing of the misconduct allegation or finding. In the case of an allegation, the notification must clearly identify, with supporting evidence, which policies/procedures may have been violated. The unit administrator may consult with the Office of General Counsel. The faculty member and other knowledgeable parties may provide the Unit Administrator with additional information. Additional Information received by the Unit Administrator shall be shared with the faculty member.

a. Right to Respond

The faculty member has the right to request a meeting with the unit administrator and respond both orally and in writing to the allegations/findings and any evidence presented. If the faculty member chooses to issue a response, the response must be presented to the unit administrator within thirty (30) calendar days of being notified of the alleged misconduct/finding.

b. Unit Administrator Review

Within ten (10) business days of the completion of the faculty member's response period, the unit administrator reviews the faculty member's response (if any was made) and gathers any additional information needed prior to determining if corrective action is warranted.

c. Unit Administrator Response

In the case of a prior finding of misconduct, the unit administrator shall take one of the following steps:

1) No Corrective Action

If the unit administrator determines no corrective action within their purview is warranted, the determination is reported to the faculty member and the matter is forwarded to the dean for additional review. The dean may consider corrective action.

2) Corrective Action

If the unit administrator determines corrective action within their purview is warranted, the decision is reported to the dean and faculty member. The faculty member has the right to grieve this decision at the departmental level. The dean may consider additional corrective action.

d. Unit Administrator Reporting

In the case of an allegation of misconduct, the unit administrator shall take one or more of the following steps:

1) No Misconduct

If the unit administrator determines no misconduct has occurred, the decision is reported to the dean and faculty member, and the matter is closed.

2) Misconduct Occurred & Corrective Action Warranted

If the unit administrator determines that misconduct has occurred and corrective action within their purview is warranted, the decision is reported to the dean and faculty member. The faculty member has the right to grieve this decision at the departmental level. The dean may take additional corrective action.

3) Misconduct Occurred & Corrective Action Recommended

If the unit administrator determines that misconduct has occurred and corrective action is warranted by the dean, provost, or president, the unit administrator makes that recommendation known to the faculty member. The faculty member may provide a written response to the recommendation within ten (10) business days. The unit administrator's recommendation is

reported to the dean and faculty member, accompanied by the faculty member's response and all other materials related to the allegation.

3. Dean-Level Procedures

When the unit administrator forwards material related to a finding of misconduct, the dean shall review the finding(s), unit administrator's recommendation, the faculty member's response, and all other related materials. The dean may accept, reject, or modify the recommendation of the unit administrator, as described below. The dean may consult with the Office of General Counsel. The faculty member, unit administrator, and other knowledgeable parties may provide the dean with additional information. Additional information received by the dean shall be shared with both the unit administrator and the faculty member.

Within ten (10) business days of receiving the referral from the unit administrator, the dean shall take one or more of the following steps.

a. No Corrective Action

If the dean determines no corrective action within their purview is warranted, the decision is reported to the provost, unit administrator, and faculty member. The provost may consider corrective action.

b. Corrective Action by Dean

If the dean determines corrective action within their purview is warranted, the decision as to corrective action is reported to the provost, unit administrator, and faculty member. The faculty member has the right to grieve this decision at the college-level. The provost may take additional corrective action.

c. Corrective Action Recommendation

If the dean recommends corrective action by the provost or president, the dean makes that recommendation known to the faculty member and the unit administrator. The faculty member may provide a written response to that recommendation within thirty (30) calendar days. The dean's recommendation, the faculty member's response, and all other materials are reported to the provost, unit administrator, and faculty member.

4. Provost-Level Procedures

When the dean forwards material related to a finding of misconduct, the provost shall review the finding(s) and recommendations, as well as all faculty member responses and all materials collected during disciplinary process. The provost may accept, reject, or modify the recommendations of the unit administrator and/or dean, as described below. The provost may consult with the Office of General Counsel. The faculty member, unit administrator, dean, and other knowledgeable parties may provide the provost with additional information. Additional information received by the provost shall be shared with the unit administrator, dean, and the faculty member.

Within ten (10) business days of receiving the referral from the dean, the provost shall take one or more of the following steps.

a. No Corrective Action

If the provost determines no corrective action by the provost or president is warranted, the decision is reported to the dean, unit administrator, and faculty member, and the matter is closed.

b. Corrective Action

If the provost determines corrective action is warranted by the provost or president, the provost makes that determination known to the president, faculty member, dean, and the unit administrator. The faculty member has the right to grieve this decision at the university-level.

E. Corrective Actions

In cases of faculty misconduct, a range of corrective actions may be taken.

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

Corrective actions may include, but are not limited to, the list below. Actions taken shall only be those within the purview of the administrator taking the actions, as defined by Regents Rules; UNT and System policy; and unit and college charters, bylaws, and procedures. The corrective actions listed do not appear in order of importance and may be taken in combination. The type of misconduct may determine the specific corrective actions, which may include:

1. oral reprimand;
2. written reprimand;
3. mandatory counseling;
4. reduction in contract period to the extent permissible by law;
5. loss of summer teaching employment;
6. reassignment to other duties;
7. reassignment of department;
8. placement of the faculty member under direct supervision of the unit administrator with a specific plan for remediation for a specific period of time;
9. loss of merit raise(s) for a specified period;

10. suspension with or without pay;
11. restitution;
12. loss of privileges of rank for a stated period;
13. reduction in salary for a stated period (the reduction would take place with the next academic year); and/or
14. revocation of tenure and termination.

F. Sequence of Disciplinary Procedures for Administrators in Faculty Roles

When an academic administrator or any faculty member with assigned administrative duties is alleged to have engaged in misconduct, the procedures listed above will be followed. The supervisor of the academic administrator is responsible for ensuring that the disciplinary procedures are followed.

G. 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.

V. References and Cross-References

- [Texas Government Code, Ch. 552, Public Information, Subchapter A. General Provisions](#)
- [Texas Education Code § 51.101\(3\), Faculty Member](#)
- [UNT Policy 05.066, Emergency, Administrative Leave and Leave During an Investigation](#)
- [UNT Policy 06.035, Academic Freedom and Academic Responsibility](#)
- [UNT Policy 06.051, University Faculty Grievance](#)
- [UNT Policy 13.006, Research Misconduct](#)
- [UNT Policy 16.004, Prohibition of Discrimination, Harassment, and Retaliation](#)
- [UNT Policy 16.005, Prohibition Against Sexual Misconduct and Retaliation](#)

VI. Revision History

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