

Faculty Handbook Committee Minutes

25 April 2018

Conference Room, 5th Floor, International Building
Flemming Education Center 306 (IVN)

Meeting Start 1:10 PM

Meeting End 2:56 PM

Agenda

1. Continued Procedural Abeyance for language and meeting times
Continuing, but with a plan to call a May meeting to address PDP
2. Progressive Disciplinary Policy Committee
Debated and discussed the PDP for over 1.2 hours
Drafted a version of the PDP: ready for review
Questions outstanding
Clearing up use of the term “faculty”
Verifying list of punitive responses (including leave without pay)
Consult termination policies in place currently to see if they address PDP or can just be referenced
Should PDP go to president too? Should there be a UAC-type step added? Or are these covered in current termination procedures?
3. Updates from ASEC Members
No new updates
Concerns about transition from current FHB to next year. No longer in alignment with new structure
T&P and Annual Evaluations need to be clarified for upcoming year
4. Charges:
Email PDP with all edits to FHC for email vote to approve to distribute (plurality)
Get PDP to Senate (listserv), Deans, Council of Chairs (Tim Rehner), AAUP (via Cochran) for comment

Roll Call

Group One (August 2016 – August 2019)

Present: Voting Ex-officio – Assistant or Associate Provost – Doug Masterson (2017-2019)

Absent (due to failed communication on behalf of the chair): Non-Member of Faculty Senate (FS Appointed) – Leisa Flynn (2017-2019)

Absent (scheduling conflict): Member of Faculty (President Appointed) – Jonathan Barron (2018-2019)

Present: Voting Elected member from Council of Chairs – Tish Zelner (2013) (2016-2019)

Present: Member of Faculty at Large (FS Appointed) – David Cochran (2018-2019)

Group Two (August 2017- August 2020)

Present: Voting Ex-officio – Assistant or Associate VP for Research – Sam Bruton (2013) (2017-2020)

Present: Member of Faculty Senate (FS Appointed) – Sharon Rouse (2017-2020)

Present: Voting Elected member from Dean – Dean Faye Gilbert (2017-2020)

Present: Member of Gulf Coast Faculty (FS Appointed) – David Holt (2017-2020)

Present: Non-voting Ex-officio General Counsel: Subrina Cooper (2010) (2017-2020)

Gallery: David Beckett

End of Minutes:

Copy of PDP Draft:

University of Southern Mississippi Progressive Discipline Policy for Faculty

Policy Statement

This progressive discipline policy applies to situations absent in other university policies. This policy is intended to address and remedy workplace situations requiring immediate attention that do not merit immediate termination of employment. This policy does not cover situations involving contumacious conduct, malfeasance, inefficiency, Title IX, scholarly misconduct, criminal conduct, or cause. This policy applies to the Corps of Instruction as defined in the Faculty Handbook as well as visiting instructors and professors. Examples of conduct covered by this policy include, but are not limited to, violations of university protocols or policies, misuse of fiscal resources, misuse of facilities, excessive absenteeism, or inappropriate behavior leading to an unproductive learning environment.

Reason for Policy

The progressive discipline policy provides an opportunity to identify and correct various workplace issues that may arise within the Corps of Instruction. The policy provides a standard process by which faculty are notified of inappropriate workplace behaviors or practices and what steps are required to correct the situation. The policy also provides a standard process by which faculty can appeal the allegations of inappropriate workplace behaviors or practices.

Who Needs to Know this Policy

Faculty, School Directors, College Deans, Provost, and President

Policy and Procedures

School Directors are responsible for oversight of the faculty in their schools. However, School Directors may inform the dean and may involve direct supervisors. Generally, School Directors are solely responsible for the administration of this policy. The parties involved in the progressive discipline process should maintain confidentiality, where possible.

The procedures below outline the possible steps that can be taken when administering progressive discipline. However, situations may exist that merit an alternate point of entry in the progressive discipline process. Any situation that is deemed severe, yet correctable, might start at either Step 2 (reprimand) or Step 3 (censure) depending on the severity of the offense. Multiple issues arising from the same faculty member over a period of 12 months can be considered collectively. Multiple issues being considered collectively may merit an alternate point of entry in the progressive discipline policy. The progressive discipline procedures outlined below do not guard against termination of employment for situations deemed severe, situations leading to an unsafe working environment, or other situations as defined by IHL or other institutional policies.

Step 1: Verbal warning

The School Director verbally communicates the concern with the faculty member in a private meeting. The School Director communicates the issue to the faculty member, why the issue is a concern and the expected corrective actions to be taken by the faculty member to remedy the situation. The School Director communicates to the faculty member the timeframe for reevaluation of the situation and

indicates to the faculty member that failure to correct the behavior within the indicated timeframe will result in a formal reprimand as described in Step 2. The School Director will summarize the meeting in an email to the faculty member which does not go into the faculty member's HR file. The faculty member may respond to the email to address any inaccuracies in the summary of the meeting.

The verbal warning is to be corrective and non-punitive in that it is not made public and does not result in any documentation being placed in the faculty member's HR file.

Step 2: Written reprimand

The School Director may initiate Step 2 if the faculty member fails to resolve the situation identified in Step 1 within the indicated timeframe for reevaluation. The School Director may also initiate Step 2 as the entry point for progressive discipline for situations deemed too severe to begin with a verbal warning.

The written reprimand must include: 1) a description of the situation, 2) any previous steps taken by the School Director to communicate the situation with the faculty member, 3) a description of why the situation merits a written reprimand, 4) a description of what the faculty member must do to correct the situation, 5) the timeline by which the situation is to be reevaluated, and 6) any actions that might occur if a resolution is not achieved. The School Director is to mention in the written reprimand that such actions may include moving to Step 3 (censure) of the Progressive Discipline policy or termination of employment (if appropriate). Where possible, the written reprimand is to be delivered to the faculty member in person by the School Director, and a copy is also to be placed in the faculty member's HR file. The School Director may also send an electronic copy to the faculty member in addition to the hard copy.

The faculty member may request a Dean's review of the written reprimand within five business days of receiving the hard copy written reprimand. The Dean of the college, to whom the School Director reports, would have five business days to initiate a review of the merits of the reprimand by email. The Dean could uphold the reprimand, reject the reprimand as an inappropriate discipline, or call a meeting between the faculty member and School Director to obtain more information before making the final judgment. The decision of the Dean is final at this stage of progressive discipline.

A copy of the written reprimand, the Dean's decision (if applicable), and the School Director's reevaluation (if applicable) are to be placed in the faculty member's HR file. The written reprimand is to be corrective and non-punitive in that it is not made public and does not result in formal the sanctions. In the event of a Dean's review, no written reprimand will be added to the faculty member's HR file until the review is completed.

Step 3: Censure

The School Director may initiate Step 3 if the faculty member fails to resolve the issue outlined in Step 2 within the indicated timeframe for reevaluation. The School Director may also initiate Step 3 as the entry point for progressive discipline for situations deemed too severe to begin with a written reprimand. Censure is the final step of progressive discipline and is to include sanctions that may be punitive and non-private. Failure to achieve resolution of the situation at the censure stage can result in termination of employment.

The School Director composes a letter of censure to the faculty member that must include: 1) a description of the situation, 2) a reason why the situation merits censure, 3) the sanctions that are to be imposed on

the faculty member, 4) the corrective actions the faculty member must take to address the situation, 5) the timeline by which the situation is to be reevaluated, and 6) a statement that failure to resolve the situation can result in termination of employment. Where possible, the signed letter of censure is to be delivered to the faculty member in person by the School Director, and a copy is to be delivered to the Dean to whom the School Director reports. The School Director may also send an electronic copy to the faculty member in addition to the hard copy.

Sanctions may include, but are not limited to, reassignment of teaching duties, leave with or without pay, reassignment of research and/or service commitments, loss of committee chair privileges, or loss of university-approved travel privileges.

The faculty member may request a Provost review within five business days of receiving the letter of censure. The Provost would have five business days to initiate a review of the merits of the letter of censure by email. The Provost can uphold the letter of censure or reject the letter of censure as an appropriate discipline. The Provost can elect to obtain additional facts through the use of the Ombudsman or by calling a meeting between the faculty member and the School Director. The decision of the Provost is final. In the event of a Provost's review, no written censure will be added to the faculty member's HR file until the review is completed.

A copy of the letter of censure, the Provost review request (if applicable), the Provost review (if applicable), and the reevaluation (if applicable) are to be placed in the faculty member's HR file. Should the situation be resolved successfully, the School Director will compose a letter of resolution and provide a copy to the faculty member and place a copy in the faculty member's HR file. Due to the nature of sanctions, censure may not remain outside of general knowledge within the university community. The parties involved in the censure process may not broadly communicate the details of censure to the university community.

Censure is the final step of the progressive discipline process, and failure to resolve the situation at this stage may result in termination of employment at the university.

Other Potential Impacts of Progressive Discipline

Progressive discipline procedures could impact tenure and promotion proceedings and could have an impact on the annual evaluation process.