

The University Senate of Michigan Technological University

Proposal 6-25

(Voting Units: Academic)

Proposed Revisions to the Faculty Handbook, Appendix I, Section 5.8

Submitted by the Offices of the Associate VP for Research, Equal Opportunity Compliance and Title IX, and Provost

Presented by: Administrative Policy Committee

Introduction:

This proposal updates the title and related information to align with Michigan Tech's current compliance processes.

Rationale:

Due to internal regulations, the current language related to misconduct in Section 5.8 of Appendix I in the Faculty Handbook cannot be followed. The proposed revisions align the Faculty Handbook with the current compliance processes. Additionally, the revised title more appropriately reflects the process.

Proposal:

Revise Section 5.8 of Appendix I in the Faculty Handbook as noted in the following track-changes:

Current Text:

5.8. Allegations of Misconduct

Allegations of major misconduct, such as, but not limited to, scientific misconduct or sexual harassment, brought against a candidate after the review process begins immediately suspends the review process. Candidates will be informed of such allegations in accordance with the appropriate university policy. Such allegations will be investigated expeditiously by the appropriate university bodies. Reasonable time limits may be placed on the candidate to respond to the allegations in order that the investigation may be completed in time to continue the review process. If such allegations are deemed groundless, the review process will recommence at the point it was suspended. If the allegations are found to have merit, the report of the investigating body will be added to the candidate's record and the review process will start over at the departmental or school level. Delays in meeting the established time schedule for the review

process due to the investigations of alleged misconduct will not be considered a violation of the procedures.

The Provost will set a date for completion of investigations of misconduct allowing time for an expeditious review of the tenure application by all parties in the review process. In the event that investigations of misconduct cannot be completed by the date set by the provost, the review process will recommence at the point it was suspended and the file will be evaluated without regard to the allegations.

Proposed Text:

5.8. Ongoing Major Misconduct Investigations

Prior to making recommendations to the President in accordance with paragraph 5.5.3, the Office of the Provost or its designee will confer with the Office of Research and the Equal Opportunity Compliance and Title IX Office to determine if there are ongoing investigations into issues of misconduct. In the event that there is an ongoing investigation into an issue of misconduct, the Office of the Provost may hold the file and not make a recommendation to the President until the investigation is resolved. In those cases, the Office of the Provost will notify the affected faculty member that the file is being held pursuant to this procedure. All investigations into misconduct will follow the applicable university policies and procedures. At no time will a committee, as referenced in section 5.5, be informed of such ongoing investigations, nor should the committee consider such information as part of its review should it learn of any such investigation. The Provost may take the outcome of an investigation into consideration in making their recommendation to the President. The Provost will make a recommendation to the President regarding tenure or promotion within forty-five (45) days of the conclusion of an investigation, including the expiration of any timeline for appeals.