

UNIVERSITY REVIEW COMMITTEE

Tuesday, April 11, 2017
4 p.m., Hovey 401D

MINUTES

Members present: Angela Bonnell, Sam Catanzaro, Diane Dean, Nerida Ellerton, Joe Goodman, Christopher Horvath, Sarah Smelser

Members not present: Rick Boser, Doris Houston, Sheryl Jenkins

Others present: Bruce Stoffel (recorder)

Note: In the minutes that follow, “URC” refers to the University Review Committee at Illinois State University; “Caucus” refers to the Faculty Caucus of the Academic Senate at Illinois State University; “AAUP” refers to the American Association of University Professors; “AFEGC” refers to the Faculty Academic Freedom, Ethics and Grievance Committee at Illinois State University; and “ASPT document” refers to *Faculty Appointment, Salary, Promotion, and Tenure Policies* effective January 1, 2017.

I. Call to order

Chairperson Diane Dean called the meeting to order at 4:04 p.m. A quorum was present.

II. ASPT disciplinary articles

A. General considerations

Dean said her goal for the meeting is to complete general considerations (Article XI). Issues remaining for committee discussion include temporary reassignments, engagement of security officers in disciplinary matters, and communication protocols in disciplinary cases. Dean distributed a document that includes passages related to each of the three issues from the August 2015 URC version of Article XI and the September 2016 Caucus version of the article. To those two versions of the passages Dean has added her suggested revisions. She explained that her suggestions are intended as starting points for committee discussion.

During the ensuing discussion committee members also referred to the document titled *Disciplinary Actions: Through the March 21, 2017 URC Meeting* (see attached). In the passages that follow, “URC 2015,” “Caucus 2016,” and “URC 2017” refer to columns of that document.

Temporary reassignments

Dean said the definition of suspensions drafted earlier this year by URC and added to General Considerations as Section XI.A.3 of URC 2017 describes exactly what URC had described as temporary reassignments in Article XI.C of URC 2015. For that reason, Dean said, she suggests not including the wording from Section XI.A.3 of URC 2015 in Section XI.B of URC 2017. Dean also noted that the Caucus did not mention temporary reassignments in its 2016 version of Article XI. Christopher Horvath and Sarah Smelser noted that while Section XI.A.3 refers to relief from activities, the section does not explicitly provide for temporary reassignments. Catanzaro said he prefers that the disciplinary articles allow for temporary reassignment while parties to disciplinary action determine what is to be done, even if the temporary reassignment involves just one class. Catanzaro acknowledged that AAUP considers such a reassignment to be de facto suspension but said he does not agree. Horvath suggested retaining the first sentence of Section XI.C (URC 2015) that reads, “Faculty members’ duties may be reassigned temporarily while possible causes for disciplinary actions are being investigated or while the due process for a disciplinary action is being followed.” Dean said the sentence could be added as a new Section XI.A.2

(URC 2017). She said placing the new section there would make sense if the actions described in Section XI.A (URC 2017) are in order of increasing severity.

Angela Bonnell said she understands the rationale for temporary reassignment but is concerned that a temporary reassignment could in some instances be a more severe disciplinary action than a sanction. Catanzaro said he can think of many situations in which temporary reassignment would never be used, but there may be situations in which students or the faculty member would prefer reassignment of the faculty member until the disciplinary matter is resolved. A temporary reassignment would be an option, Catanzaro said, not a necessity. Nerida Ellerton agreed, noting there is a difference between a temporary reassignment as an option and as a necessary next step.

Horvath cited a scenario in which a department chairperson removes a faculty member from a committee and a scenario in which a chairperson removes a faculty member from her or his assignment as a program coordinator. Horvath also cited situations in which a department chairperson tells a faculty member that she or he can never teach a particular course or that she or he may never serve on a particular committee. Horvath said, while such actions are within a chairperson's right, the actions may be punitive and therefore should be subject to disciplinary processes. Horvath asked if such situations should be addressed by URC in its re-write of the disciplinary articles. He cautioned that the instances he has cited happen at Illinois State but are not covered by the versions of the disciplinary articles thus far drafted.

Ellerton suggested that a temporary reassignment might be analogous to the concept of "paid administrative leave" used in other employment sectors. She suggested that temporary reassignment is not really disciplinary, rather it is an action taken until the situation can be sorted out. A permanent reassignment, she suggested, would be a sanction or suspension. Horvath said he does not consider a permanent reassignment to be a suspension because it is not temporary.

Catanzaro said ASPT policies provide that faculty members are assigned courses each year by the department chairperson in consultation with the faculty member. He said a situation in which a faculty member does not get her or his first-choice course is not punitive. He explained that faculty assignments and reassignments are not permanent, adding that it is not good administrative practice to assign a course to the same faculty member every year. Horvath said if a chairperson is going to permanently reassign something as a punishment, then that reassignment should be covered by the disciplinary articles. He said he wants to make sure there is explicit due process for the imposition of that kind of punishment. There is a difference, he said, between being relieved of an assignment due to performance and being relieved of an assignment as a punishment for failing to do something else or for actually doing something else.

Dean recommended that the committee set the issue of temporary reassignment aside and instead address it when the sanctions article is revised by the committee. There were no objections from committee members.

Engagement of security officers in disciplinary matters

Dean pointed out that URC, in its August 2015 version of the disciplinary articles, did not address engagement of security officers but that the Caucus did in its September 2016 version. Dean said she recommends keeping the Caucus passage with a few edits, including deletion of the AFEGC reference. Smelser noted a typographical error in the first sentence of the second paragraph of Dean's suggested re-write of Section XI.B.6 (Caucus 2016). Ellerton suggested replacing the word "exonerate" in that same sentence with the phrase "prepare for pending disciplinary actions or appeals." Horvath asked if the passage should also address access by a faculty member to her or his own research documents; he added that if access to such materials is covered legally, it might not need to be addressed in the disciplinary articles. Joe Goodman said in the corporate world such documents are usually brought to the employee rather than allow the employee on-site access to retrieve them.

Goodman asked who owns teaching and research materials developed by faculty members. Catanzaro responded that it is typically the case that the faculty member who develops the materials owns them, unless the work was explicitly done "for hire." He said there may be reasons why the University would not want a faculty member who is the subject of a disciplinary action to have access to the University server to

retrieve her or his materials. In such cases, Catanzaro said, the University would make other arrangements to get the materials to the faculty member.

Goodman cautioned about use of the word “reasonable” in both paragraphs of the passage drafted by Dean, noting that the meaning of the word is ambiguous. Ellerton suggested deleting the phrase “all reasonable” in the second paragraph of the passage. Committee members concurred. Horvath suggested replacing the word “reasonable” in the first paragraph of the passage with the word “credible,” noting that the word “credible” implies evidence. Committee members agreed. Dean said she would make a note to consider making the same change (from “reasonable” to “credible”) in Section XI.A.3 (URC 2017).

Goodman asked if the text being drafted by URC will be reviewed by legal counsel. Catanzaro answered in the affirmative.

Communication protocols in disciplinary cases

Dean pointed out that neither URC nor the Caucus mentioned communication protocols in their respective versions of the disciplinary articles, nor is the matter of communication protocols mentioned anywhere in the ASPT document. She reminded committee members that Smelser had suggested adding a passage regarding communication protocols when general considerations were discussed by the committee earlier in the academic year. Dean said she has drafted such a passage based on an example submitted to her by Bonnell. Catanzaro expressed concern about the degree to which campus mail and campus email are secure. He recommended that URC consider re-writing Dean’s proposed passage to read, “Means of communication that are confidential, whether electronic or physical, shall be used.” Dean said she likes the flexibility Catanzaro’s rewording provides, noting that a faculty member prohibited from campus would not have access to campus mail. She asked committee members if the passage suggested by Catanzaro should be added. Committee members agreed that it should be. Smelser asked where the passage will be placed in the document. Dean said she will add it after Section XI.B.6 (URC 2017).

Dean said she will make the changes to Article XI recommended by the committee at this meeting. Discussion of Article XI by URC will then be considered complete, she said.

B. Re-writing articles regarding sanctions, suspensions, and dismissal

Dean said she is still optimistic that URC can complete its discussions of the disciplinary articles by the end of the academic year and can then present revised articles to the Caucus for its consideration next academic year. Dean proposed that the committee work in subgroups to re-draft the articles regarding sanctions, suspensions, and dismissal. She suggested the following subgroup assignments.

Article	Topic	Subgroup members	URC meeting at which the subgroup is scheduled to report
XII	Sanctions	Ellerton and Horvath	April 18, 2017 (4 p.m.)
XIII	Suspensions	Goodman, Jenkins, and Smelser	April 25, 2017 (4 p.m.)
XIV	Dismissal	Bonnell, Boser, and Houston	May 4, 2017 (1 p.m.)

Dean said she has nearly completed a template for each of the three articles to guide subgroups with their re-writes and to provide consistency across the three articles. Smelser asked Dean how she wants subgroups to use the templates. Dean responded that she considers the templates “sacrificial drafts,” that each subgroup should feel free to make whatever changes to the template the subgroup deems appropriate. Dean asked Bonnell if she would help guide the subgroup charged with re-writing the dismissal article, noting that Bonnell’s subgroup colleagues have not been able to attend all recent committee meetings and, therefore, do not have first-hand knowledge of recent committee discussions. Bonnell indicated that she will be glad to help.

III. Other business

There was none.

IV. Approval of minutes

Dean asked if committee members are amenable to reviewing and approving URC minutes via email. She said three sets of minutes have yet to be approved: minutes for URC meetings held on February 28, March 9, and March 21. Committee members agreed to do so.

V. Adjournment

Goodman moved to adjourn the meeting. Horvath seconded the motion. The motion passed on voice vote, all voting in the affirmative. Dean adjourned the meeting at 5:04 p.m.

Respectfully submitted,
Joe Goodman, Secretary
Bruce Stoffel, Recorder

ATTACHMENTS:

ARTICLE XI: General Considerations, as distributed by Chairperson Diane Dean to the University Review Committee at its April 11, 2017 meeting

Disciplinary Actions: Through the March 21, 2017 URC Meeting

ARTICLE XI: GENERAL CONSIDERATIONS

	Version A: URC 2015	Version B: Faculty Caucus 2016	Version C: URC 2017
<p>Temporary reassignments</p>	<p>C. Faculty members' duties may be reassigned temporarily while possible causes for disciplinary actions are being investigated or while the due process for a disciplinary action is being followed. The reasons for such reassignment shall be made to prevent reasonable threats of harm to the University, the individual faculty member, or other members of the University community; when required by law; or when necessitated by pending criminal investigation or legal proceedings.</p>	<p>(Faculty Caucus version makes no mention of temporary reassignments.)</p>	<p>Suggestion: Drop inclusion of "temporary reassignments." Rationale: Our definition of suspensions describes exactly what URC also called "temporary reassignments." A temporary reassignment is a defacto suspension. See A.3.</p>
<p>Engagement of security officers in disciplinary matters</p>	<p>(URC 2015 original version makes no mention of temporary reassignments.)</p>	<p>B. Faculty Rights (continued) B.6. Only in cases of alleged criminal misconduct shall uniformed police or security officers be engaged in enforcing a preliminary suspension or a suspension recommended or reviewed and affirmed by the Academic Freedom, Ethics, and Grievance Committee. Faculty shall not be denied access to materials stored on campus property that the might need to exonerate themselves; if access to such materials poses a high risk to campus security, alternative arrangements shall be made to provide the faculty member with all reasonable access to materials to be used in his or her defense.</p>	<p>Suggestion: Keep with modifications below. The suggested edits clarify conditions under which uniformed escort could be needed. The rationales of potential harm, legal requirements or criminal investigations are more compelling and justifiable than those provided by Faculty Caucus. See below B.5. Uniformed police or security officers shall only be engaged in enforcing a suspension or dismissal when there are reasonable threats of harm to the University, the individual faculty member, or other members of the University community; when required by law; or when necessitated by pending criminal investigation or legal proceedings. Faculty shall not be denied access to materials stored on campus property that the might need to exonerate themselves; if access to such materials poses a high risk to campus security, alternative arrangements shall be made to provide the faculty member with all reasonable access to materials to be used in his or her defense.</p>

ARTICLE XI: GENERAL CONSIDERATIONS

TOPIC	Version A: URC 2015	Version B: Faculty Caucus 2016	Version C: URC 2017
<p>Communication protocols in disciplinary cases</p>	<p>URC 2015 original version makes no mention of communication protocols.)</p>	<p>(Faculty Caucus version makes no mention of communication protocols.)</p>	<p>Suggestion: Add wording as suggested by Sarah & Angie, based on University policy 3.3.8.b, re: AFEGC.</p> <p><i>“In this and subsequent matters, members of the AFEGC shall only use confidential campus mail envelopes to transmit items related to complaints and referrals, unless the Chairperson of the AFEGC has received signed permission from all parties and committee chairpersons that email or other electronic transmission mode is acceptable.”</i></p> <p>See below</p> <p>B.6. Only confidential campus mail envelopes shall be used to transmit communications and materials related to disciplinary actions.</p>
			<p><i>Any other considerations?</i></p>

DISCIPLINARY ACTIONS: THROUGH THE MARCH 21, 2017 URC MEETING

ARTICLE XI: GENERAL CONSIDERATIONS

VERSION A: URC 2015	VERSION B: Faculty Caucus 2016	VERSION C: URC 2017
<p>A. Types of Disciplinary Actions</p> <ol style="list-style-type: none"> 1. Faculty may be subject to discipline of varying levels. Disciplinary actions include Sanctions, Suspension, and Dismissal. 2. Sanctions may be imposed for such adequate causes as violations of laws or University policies, including the Code of Ethics and its appendices. Specific policies related to sanctions are provided in ASPT XII. 3. Suspension occurs when a faculty member is temporarily relieved of academic duties, such that the faculty member is not engaged in any teaching, research, or service activities at the University. The faculty member could be on paid or unpaid status. Specific policies related to suspensions are provided in ASPT XIII. 4. It is understood that suspension (with or without pay) of faculty members will only be contemplated in circumstances when there is a reasonable threat of imminent harm to the University, including the faculty member in question, students, and other employees or when credible evidence of adequate cause for dismissal is available. The administration of the University will inform the faculty member of its rationale for judging that suspension is indicated. 	<p>A. Types of Disciplinary Actions; Conditions under which they may be applied</p> <ol style="list-style-type: none"> 1. Faculty may be subject to discipline of varying levels. Disciplinary actions include Sanctions, Suspension, and Dismissal. 2. Sanctions: As defined by the American Association of University Professors' 1971 guidelines regarding progressive discipline, sanctions that can be imposed upon a faculty member are: oral reprimand, written reprimand, recorded reprimand, requirement to make restitution, loss of prospective benefits for a stated period, fine, reduction in salary for a stated period, and disciplinary suspension for a stated period without other prejudice. <p>Sanctions may be imposed for such reasons as violations of felony and ethics laws pertinent to a faculty member's responsibilities or of University policies, including the Code of Ethics and its appendices.</p> <p>Specific policies related to sanctions are provided in ASPT XII.</p>	<p>A. Types of Disciplinary Actions</p> <ol style="list-style-type: none"> 1. Faculty may be subject to discipline of varying levels. Disciplinary actions include Sanctions, Suspension, and Dismissal. The University normally uses progressive discipline to address possible misconduct. Progressive discipline is intended to be corrective, not punitive in nature. It is designed to provide faculty with notice of deficiencies and an opportunity to improve. However, some violations of policies and procedures, or continued negative behavior, may be of such serious nature that suspension or dismissal may be appropriate. 2. Sanctions are minor disciplinary actions of varying degrees undertaken to address behavioral or performance problems or issues. Sanctions are intended to be corrective. <p>Sanctions may be effected for such reasons as violations of laws or of University policies, including the Code of Ethics and its appendices. Specific policies related to sanctions are provided in ASPT XII.</p> <ol style="list-style-type: none"> 3. Suspensions are major disciplinary actions of varying degrees undertaken to temporarily relieve a faculty member from teaching, research, or service activities; on paid or unpaid status; with or without exclusion from campus or parts thereof. Suspensions may be effected for such reasons as when there is a reasonable threat of imminent harm to the University, including the faculty member in question, students, and other employees, or University property; or as a next step in a progressive disciplinary process; or when credible evidence of adequate cause for dismissal is available. Specific policies related to suspensions are provided in ASPT XIII.

DISCIPLINARY ACTIONS: THROUGH THE MARCH 21, 2017 URC MEETING

ARTICLE XI: GENERAL CONSIDERATIONS

VERSION A: URC 2015	VERSION B: Faculty Caucus 2016	VERSION C: URC 2017
<p>5. Dismissal of a tenured faculty member may be effected by the University for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; malfeasance; or demonstrable University financial exigency or program termination. Specific policies related to termination of tenured faculty appointments are provided in ASPT XIV.B.</p> <p>6. Termination of faculty due to financial exigency or program termination will follow the process outlined in the ISU Constitution (Article III, Section 4.B.2) and all applicable policies.</p> <p align="center"><i>[Article XI continues below]</i></p>	<p>3. Suspension: Suspension occurs when a faculty member, as a result of disciplinary findings or allegations, is:</p> <ul style="list-style-type: none"> a. temporarily relieved of academic duties, such that the faculty member is not engaged in any teaching, research, or service activities at the University and is excluded from all or parts of campus and its privileges (e.g. access to email services); or b. temporarily relieved of academic duties, such that the faculty member is not engaged in any teaching, research, or service activities at the University but is not excluded from campus; or c. reassigned out of one or more of these three categories of faculty activity, with or without exclusion from campus or parts thereof; or d. reassigned out of some portion thereof (e.g. reassignment out of a particular class for the remainder of a semester; exclusion from a laboratory space). <p>Suspension of faculty members will only be contemplated (i) in circumstances when there is a reasonable threat of imminent harm to the faculty member in question, students, other employees or university property, or (ii) as a sanction under Article XII for a stated period without other prejudice.</p>	<p>4. Dismissals are major disciplinary actions terminating the appointment of a probationary or tenured faculty member. Dismissals are effected under extraordinary or egregious circumstances or when other recourses of disciplinary action have been exhausted without effect. They should rarely if ever need occur.</p> <p>Dismissals may be effected for such reasons as lack of fitness to continue to perform in a faculty member's professional capacity as a teacher or researcher, failure to perform assigned duties in a manner consonant with professional standards, or malfeasance. Specific policies related to dismissals are provided in ASPT XIV.</p> <p>5. Recommendations for non-reappointment of probationary faculty for non-disciplinary, performance concerns will follow the process outlined in ASPT XV.</p> <p>6. Termination of the appointment of a probationary or tenured faculty member due to demonstrable University financial exigency or program termination is not disciplinary in nature, and will follow the process outlined in the Illinois State University Constitution (Article III, Section 4.B.2.), the Governing Document of the Board of Trustees (Section C) and all applicable policies.</p> <p align="center"><i>[Article XI continues below]</i></p>

DISCIPLINARY ACTIONS: THROUGH THE MARCH 21, 2017 URC MEETING

ARTICLE XI: GENERAL CONSIDERATIONS

VERSION A: URC 2015	VERSION B: Faculty Caucus 2016	VERSION C: URC 2017
<p align="center"><i>[Article XI continues below]</i></p>	<p>Specific policies related to the first type of suspension are provided in ASPT XIII. The second type of suspension follows the same process as described for dismissal in ASPT XIV, with due consideration to the protections provided for in ASPT XIII, and may be proposed as an alternative to dismissal or as a penalty unrelated to dismissal.</p> <p>4. Dismissal as a disciplinary action: Dismissal is the termination of the appointment of a probationary or tenured faculty member for cause. Dismissal for cause of a probationary faculty member must be distinguished from non-reappointment for academic reasons and follows different procedures.</p> <p>Dismissal as a type of disciplinary action is one form of dismissal that may be effected by the University under extraordinary circumstances.</p> <p align="center"><i>[Article XI continues below]</i></p>	<p align="center"><i>[Article XI continues below]</i></p>

DISCIPLINARY ACTIONS: THROUGH THE MARCH 21, 2017 URC MEETING

ARTICLE XI: GENERAL CONSIDERATIONS

VERSION A: URC 2015	VERSION B: Faculty Caucus 2016	VERSION C: URC 2017
<p align="center"><i>[Article XI continues below]</i></p>	<p>As noted in the AAUP Statement on Procedural Standards in Faculty Dismissal Proceedings (last updated in 1990), “A dismissal proceeding is a symptom of failure; no amount of use of removal process will help strengthen higher education as much as will the cultivation of conditions in which dismissals rarely, if ever, need occur.”</p> <p>The statement goes on to indicate that a “necessary precondition of a strong faculty is that it have first-hand concern with its own membership [which] is properly reflected both in appointments to and in separations from the faculty body” and that the “faculty must be willing to recommend the dismissal of a colleague when necessary. By the same token, presidents and governing boards must be willing to give full weight to a faculty judgment favorable to a colleague.”</p> <p>Dismissal of a probationary or tenured faculty member may be effected by the University for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; malfeasance; or demonstrable University financial exigency or program termination.</p> <p>Specific policies related to dismissal are provided in ASPT XIV, the ISU Constitution (Article III, Section 4.B), ISU Board of Trustees Governing Documents and all applicable policies including the right of appeal.</p>	<p align="center"><i>[Article XI continues below]</i></p>

DISCIPLINARY ACTIONS: THROUGH THE MARCH 21, 2017 URC MEETING

ARTICLE XI: GENERAL CONSIDERATIONS

VERSION A: URC 2015	VERSION B: Faculty Caucus 2016	VERSION C: URC 2017
<p align="center"><i>[Article XI continues below]</i></p>	<p>5. Note regarding dismissals that might be considered under non-disciplinary circumstances: Termination of a faculty member's appointment due to financial exigency or program termination follows the process outlined in ASPT XIV, the ISU Constitution (Article III, Section 4.B), ISU Board of Trustees Governing Documents, and all applicable policies including the right of appeal, and must not be used, construed or disguised as a disciplinary action process. Faculty may appeal termination proceedings on the basis that disciplinary issues are being alleged in order to effect a dismissal for reasons of financial exigency or program termination, or vice versa.</p> <p>Non-disciplinary termination of a faculty member's appointment on the grounds either of lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher or failure to perform assigned duties in a manner consonant with professional standards also follows the process outlined in ASPT XIV, the ISU Constitution (Article III, Section 4.B), ISU Board of Trustees Governing Documents, and all applicable policies including the right of appeal.</p> <p align="center"><i>[Article XI continues below]</i></p>	<p align="center"><i>[Article XI continues below]</i></p>

DISCIPLINARY ACTIONS: THROUGH THE MARCH 21, 2017 URC MEETING

ARTICLE XI: GENERAL CONSIDERATIONS

VERSION A: URC 2015	VERSION B: Faculty Caucus 2016	VERSION C: URC 2017
<p>B. Faculty Rights</p> <ol style="list-style-type: none"> Disciplinary actions (including suspension or termination) or the threat thereof may not be used to restrain faculty members' exercise of academic freedom. Faculty members shall retain their right to file a grievance with the Faculty Academic Freedom, Ethics, and Grievance Committee, if they believe that their academic freedom or the Code of Ethics has been violated. In all disciplinary proceedings, faculty members have the rights to due process, to timely notice, to seek advice, to respond to developments in the disciplinary process, and to have an advisor and/or counsel present at discussions, hearings, and appeals. Such advisor/counsel is advisory to the faculty member only. <p>C. Faculty members' duties may be reassigned temporarily while possible causes for disciplinary actions are being investigated or while the due process for a disciplinary action is being followed. The reasons for such reassignment of duties will be provided to the faculty member. Such reassignments shall be made to prevent reasonable threats of harm to the University, the individual faculty member, or other members of the University community; when required by law; or when necessitated by pending criminal investigation or legal proceedings.</p> <p align="center"><i>[Article XI continues below]</i></p>	<p>B. Faculty Rights</p> <ol style="list-style-type: none"> Disciplinary actions (including suspension or dismissal for disciplinary reasons) or the threat thereof may not be used to restrain faculty members' exercise of academic freedom. Faculty members shall retain their right to file a grievance with the Faculty Academic Freedom, Ethics, and Grievance Committee, if they believe that their academic freedom or the Code of Ethics has been violated. See the ISU Constitution, Article III, the Academic Freedom Ethics and Grievance policy and the Proceedings in Academic Freedom, Dismissal, and Non-reappointment Cases policy. <p align="center"><i>[Article XI continues below]</i></p>	<p>B. Faculty Rights</p> <ol style="list-style-type: none"> Disciplinary actions (including sanctions, suspensions or dismissals) or the threat thereof may not be used to restrain faculty members' exercise of academic freedom. Faculty members shall retain their right to file a grievance with the Faculty Academic Freedom, Ethics, and Grievance Committee, if they believe that their academic freedom or the Code of Ethics has been violated. See the Illinois State University Constitution (Article III) and the Faculty Academic Freedom, Ethics and Grievance policy (University Policy 3.3.8). In all disciplinary proceedings, faculty members have the right to academic due process, to timely notice, to seek advice, and to respond to developments in the disciplinary process. Faculty members also have the right to have an advisor present and/or to have counsel present at discussions, hearings, and appeals. Such advisor/counsel is advisory to the faculty member and to no other party. <p align="center"><i>[Article XI continues below]</i></p>

DISCIPLINARY ACTIONS: THROUGH THE MARCH 21, 2017 URC MEETING

ARTICLE XI: GENERAL CONSIDERATIONS

VERSION A: URC 2015	VERSION B: Faculty Caucus 2016	VERSION C: URC 2017
<p>D. Probationary faculty who face disciplinary actions and are either exonerated or required to complete corrective actions may request a one year “stop-the-clock” extension of their probationary period, as described in IX.B.3. The records of the disciplinary process, including documentation of exoneration and completion of any required corrective actions, may be reviewed in the tenure and promotion process as it bears on the faculty member’s performance in teaching, research, and service. The purpose of such review will be to ensure that only the documented facts of the individual’s exoneration and/or corrective actions are considered.</p>	<p>2. Suspension, as defined in XI.A.3, shall not be effected without a recommendation to the President from a three-member hearing committee of the Academic Freedom, Ethics, and Grievance Committee convened by the chairperson of that committee. The written recommendation from the hearing committee shall including i) a recommendation for or against suspension, ii) a recommendation regarding the length of any recommended suspension, and iii) recommendations regarding other aspects of any recommended suspension, including the nature and scope of the suspension (e.g. restriction only from a single course, banishment from campus pending felony criminal investigation, etc.). If immediate action must be taken due to a reasonable threat of imminent harm, consultation with the AFEGC must occur within 24 hours and a preliminary written recommendation formulated within 3 business days. The faculty member shall have the same rights to a full hearing and set of appeals as in other AFEGC cases.</p> <p>3. In all disciplinary proceedings, faculty members have the right to academic due process, to timely notice, to seek advice, and to respond to developments in the disciplinary process. Faculty members also have the right to have an advisor present and/or to have counsel present at discussions, hearings, and appeals. Such advisor/counsel is advisory to the faculty member and to no other party.</p> <p align="center"><i>[Article XI continues below]</i></p>	<p>3. Probationary faculty who face disciplinary actions whether exonerated or required to complete corrective actions may request a one year “stop-the-clock” extension of their probationary period, as described in IX.B.3.</p> <p>4. The records of the disciplinary process, including documentation of exoneration and completion of any required corrective actions, may be reviewed in the tenure and promotion process as it bears on the faculty member’s performance in teaching, research, and service. The purpose of such review will be to ensure that only the documented facts of the individual’s exoneration and/or corrective actions are considered.</p>

DISCIPLINARY ACTIONS: THROUGH THE MARCH 21, 2017 URC MEETING

ARTICLE XI: GENERAL CONSIDERATIONS

VERSION A: URC 2015	VERSION B: Faculty Caucus 2016	VERSION C: URC 2017
	<p>4. Probationary faculty who face disciplinary actions whether exonerated or not may request a one year “stop-the-clock” extension of their probationary period, as described in IX.B.3.</p> <p>5. The records of the disciplinary process, including documentation of exoneration and/or imposition of sanctions, may not be reviewed in the tenure and/or promotion process except when necessary to affirm exoneration or imposition of sanctions, and then only as it bears on the faculty member’s performance in teaching, research, and service. The purpose of such review will be to ensure that only the documented facts of the individual’s exoneration and/or sanctions are considered and not held against the faculty member.</p> <p>6. Only in cases of alleged criminal misconduct shall uniformed police or security officers be engaged in enforcing a preliminary suspension or a suspension recommended or reviewed and affirmed by the Academic Freedom, Ethics, and Grievance Committee. Faculty shall not be denied access to materials stored on campus property that they might need to exonerate themselves; if access to such material poses a high risk to campus security, alternative arrangements shall be made to provide the faculty member with all reasonable access to materials to be used in his or her defense.</p>	