

SPECIAL REPORT
of the
AD HOC DISCIPLINARY PROCEDURES COMMITTEE
RECOMMENDING DISCIPLINARY ACTION
IN CASES OF SCHOLARLY MISCONDUCT ON THE PART OF
FACULTY MEMBERS

Presented at the
453rd Regular Meeting of the Faculty Senate
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COMMITTEE MEMBERSHIP

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Procedures for Recommending Disciplinary Action in Cases of Scholarly Misconduct on the Part of a Faculty Member

Senate Document No. 90-038 (Section III. Part B, Paragraph 6i) empowers the Hearing Panel handling cases of misconduct in scholarly activities to recommend disciplinary actions in cases where such misconduct has occurred.

1. If the Panel finds that a faculty member is guilty of misconduct in scholarly activities, in addition to the steps outlined in Sen. Doc. No. 90-038 Section III, Part B, Paragraph 9, the Panel will forward its findings to the Provost and Vice-Chancellor for Research together with recommended penalties. The penalties will reflect the nature and severity of the misconduct, and will include, but are not limited to, verbal admonition, written warning to be included in the individual's personnel file, removal from certain duties, demotion, suspension with or without pay and termination. Recommended penalties shall be consistent with Trustee personnel policies and collective bargaining agreements in force at the time of the decision.

2. The Provost, after consultation with the Vice-Chancellor for Research, will act upon the recommendations of the Hearing Panel within ten (10) working days of their receipt. The Provost's determination shall be based upon consideration of both the case in question and any prior record of violations of University policies by said faculty member. The Provost's decision shall be forwarded in writing to both the faculty member and the Hearing Panel, with specific explanations of any change in the Panel's recommendations.

3. Either the penalized faculty member or the Hearing Panel may request that the decision of the Provost be reviewed by the Chancellor by filing a written petition within ten (10) working days after receiving the Provost's decision. The decision of the Chancellor shall constitute the final University disposition of the matter and no further administrative appeals will be considered.

4. Penalties may be subject to additional review or grievance only as specified in collective bargaining agreements in force at the time of the decision.

5. These disciplinary actions will not affect, or be affected by, additional sanctions imposed upon the faculty member by any external funding agency.

MOVED: That the Faculty Senate approve Procedures (1 through 5) for Recommending
03-91 Disciplinary Action in Cases of Scholarly Misconduct on the Part of Faculty Members,
as presented in Sen. Doc. No. 91-009.

SCHOLARLY MISCONDUCT POLICY

At its 446th regular meeting on March 1, 1990, the Faculty Senate approved a Special Report of the Research Council concerning Procedures for Dealing with Charges of Misconduct in Scholarly Activities at the University of Massachusetts at Amherst (Sen. Doc. No. 90-038 with Motion No. 32-90). During debate on these procedures, the Faculty Senate noted that the report lacked sanctions for disciplining those found to have engaged in such conduct. Several Senators urged that such sanctions be developed.

At the 448th regular meeting of the Faculty Senate, the Rules Committee submitted a Special Report establish an ad hoc Committee to Recommend Disciplinary Procedures for Those found to Have Engaged in Misconduct in Scholarly Activities (Sen. Doc. No. 90-044 with Motion No. 41-90). The Senate ratified this motion.

In accordance with the mandate of the Faculty Senate, the ad hoc Committee now submits its recommendations to rectify the deficiencies in Sen. Doc. No. 90-038. The Committee met on three occasions during the summer months in addition to corresponding frequently on the various drafts of the recommendations. The Present document has also been reviewed by the Executive Committee and the Executive Board of the Massachusetts Society of Professors to ensure that it abides by all contractual obligations.