Academic Policy Update: Revision to Section K of the Suspension or Termination for Cause Policy in the Faculty Handbook

Title	Revision to the Faculty Handbook Policy "Suspension or Termination for Cause" Section K – "Allegations of Unlawful Discrimination or Harassment"
1. Rationale	When suspension or termination of the employment of a faculty member is the sanction that is recommended following an investigation as set forth in the University's Procedures for the Resolution of Sexual Misconduct Complaints Against Faculty, Staff, Affiliates, and Non-Affiliates or through the Complaint Procedures in Cases of Alleged Unlawful Discrimination and Harassment, that recommendation is subject to the Faculty Handbook Policy on Suspension or Termination for Cause (the "for-Cause" policy). This proposed amendment to section K of the for-Cause policy states that the findings of the prior investigations shall not be revisited by the for-Cause Hearing Committee. The charge of the Hearing Committee is to recommend an appropriate sanction, not conduct a new investigation. This change will bring section K into alignment with section J, which makes the same statement regarding for-Cause proceedings to recommend the appropriate sanction after an investigation of Research Misconduct. In all cases, including those that have triggered a separate investigation of Sexual Misconduct, Unlawful Discrimination/Harassment, or Research Misconduct, Section E of the for-Cause policy affords the faculty member the opportunity to provide written and/or oral arguments to the Hearing Committee as they consider the appropriate sanction.
2. Covered Parties	Boston University full-time faculty
3. Defined Terms	**N/A**
4. University Policy Draft 3/3/14	**Faculty Handbook** **Suspension or Termination for Cause** **K. Allegations of Unlawful Discrimination or Harassment** When allegations of sexual misconduct or unlawful discrimination or harassment have been made against a faculty member, the allegations shall be investigated using the procedures set forth in the University's Procedures for the Resolution of Sexual Misconduct Complaints Against Faculty, Staff, Affiliates, and Non-Affiliates or the procedures set forth in Complaint Procedures in Cases of Alleged Unlawful Discrimination and Harassment, as appropriate. A finding of misconduct made pursuant to these procedures shall not be revisited by the Hearing Committee considering a faculty member's suspension or termination for cause, but the committee shall, after providing the faculty member an opportunity to be heard pursuant to Section E, recommend an appropriate sanction, which may be suspension, termination, or other appropriate discipline.

5. Effective Date	TBD
6. History	Section K of "Suspension or Termination For Cause" policy predates the new policy on sexual misconduct. Section K currently reads: K. Allegations of Unlawful Discrimination or Harassment When allegations of unlawful discrimination or harassment have been made against a faculty member, Boston University's policy concerning *"Alleged Unlawful Discrimination or Harassment"* shall apply in place of this procedure.
7. Responsible Parties	Office of the Provost; (617) 353-2230; provost@bu.edu Academic Deans
8. Implementation procedures, timeline and guidelines	1. Dissemination to all faculty members 2. Incorporation into Faculty Handbook
9. Related Policies and References	• Title IX/Sexual Misconduct Policy http://www.bu.edu/safety/sexual-misconduct/title-ix-bu-policies/sexual-misconducttitle-ix-policy/ • University's Procedures for the Resolution of Sexual Misconduct Complaints Against Faculty, Staff, Affiliates, and Non-Affiliates http://www.bu.edu/safety/sexual-misconduct/title-ix-bu-policies/facultystaff-sexual-misconduct-procedures/ • Complaint Procedures in Cases of Alleged Unlawful Discrimination and Harassment, http://www.bu.edu/eoo/policies-procedures/complaint/

Approved by the University Council on 4/29/15