



# Corrective Discipline and Termination for Cause of Professional Faculty Appointment

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**Responsible Executive:** Vice Provost for Faculty Affairs

**Responsible Office:** Office of Faculty Affairs

**Effective:** September 28, 2021

**Last Revised:** December 14, 2022

## 1. Policy Statement

- 1.1. Oregon State University (“university”) adopts this university policy to govern discipline and termination for cause of a professional faculty appointment. It is solely within the university’s discretion to determine the need for and to enact such discipline or terminations.
- 1.2. The university may issue corrective discipline, up to and including termination, with respect to a professional faculty member for cause.
- 1.3. In general, the university seeks to follow a progressive discipline process when issuing corrective discipline, which will usually include the administration of a series of increasingly informal and formal communications and interventions to correct a specific issue or a pattern of issues. The underlying principle of progressive discipline is to provide a reasonable opportunity for the employee to correct performance issues, with the university using the least formal action necessary.
  - 1.3.1. Progressive discipline may include, but is not limited to, the following actions:
    - a. Verbal coaching: A conversation initiated by the supervisor that identifies issues, allows the professional faculty member to be heard, and builds a plan for resolution.
    - b. Performance improvement plan: A measure initiated by the supervisor that frequently includes a conversation and provides documentation of the main performance issues, an action plan for improvement, and a timeline for expected improvement.
    - c. Written reprimand: A written notice provided to the professional faculty member detailing the basis of the discipline, what actions are needed to remedy the concerns, and the supervisor’s expectations for the professional faculty member’s performance or behavior in the future. A

written reprimand may also require an employee to take certain actions.

- d. Suspension without pay: A full release from duties without pay for a period of time. When on suspension, an employee will generally have limited or no access to university-owned or -managed property or accounts.
  - e. Termination for cause: The separation of an employee from university employment for reasons of unsatisfactory performance, misconduct, or violations of law or policy.
- 1.4. There may be times when the university determines that isolated instances of unsatisfactory performance, misconduct or violations of law or policy, depending on their severity and nature, warrant the issuance of immediate severe discipline, up to and including termination of appointment, without the administration of typical progressive discipline. Therefore, there is no mandatory sequence or requirement of specific disciplinary measures prior to termination for cause.
  - 1.5. The university may place an employee on an administrative leave with pay while awaiting the final determination of a fact-finding process or investigation, to promote the safety and well-being of members of the university community or to protect the educational mission or interests of the university.
  - 1.6. The university may reassign duties, modify reporting lines, or take other reasonable measures pending the final determination of a fact-finding process or investigation, to promote the safety and well-being of members of the university community or to protect the educational mission or interests of the university.
  - 1.7. The university maintains sole discretion to terminate a professional faculty appointment at any time, with or without cause.
  - 1.8. Terminations not-for-cause are addressed under University Policy 05-100 *Termination Not-for-Cause of Professional Faculty Appointment*.

## **2. Reason for Policy**

- 2.1. This policy provides clarity as to how and in what circumstances a professional faculty member may be disciplined or their appointment terminated for cause.

## **3. Scope & Audience**

- 3.1. This policy applies to all professional faculty except those positions that have an employment agreement with alternate termination provisions (such as athletic coaches).

- 3.2. To the extent that this university policy conflicts with any provisions in other university standards, policies, unit rules, or handbooks, the provisions of this policy supersede those other provisions.

## 4. Definitions

- 4.1. **Cause.** Unsatisfactory performance, misconduct, or violations of law or policy.
- 4.2. **Professional faculty.** An employee holding an administrative professional title without an assigned academic rank and categorized as professional faculty by the university. Employees who have an underlying tenure appointment and whose administrative position serves at the pleasure of the president, the provost, vice president, vice provost, or a dean are not included within this definition for the purposes of this policy.
- 4.3. **Paid administrative leave.** An employing unit, in consultation with the Employee and Labor Relations Office, may choose to place a professional faculty member on leave from their work assignments while awaiting the final determination of a fact-finding process or investigation, to promote the safety and well-being of members of the university community, or to protect the educational mission or interests of the university. The employee will remain in paid status and this measure is not a disciplinary action.
- 4.4. **Reassignment of duties.** An employing unit, in consultation with the Employee and Labor Relations Office, may choose to modify a professional faculty member's duties or reporting lines, or take other reasonable measures while awaiting the final determination of a fact-finding process or investigation, to promote the safety and well-being of members of the university community, or to protect the educational mission or interests of the university. This measure is not a disciplinary action.

## 5. Responsibilities & Procedures

### 5.1. Consultation with Employee and Labor Relations

- 5.1.1. The supervisor must consult with the Employee and Labor Relations Office to obtain assistance in reviewing the situation and the determination of the appropriate level of discipline, authorized decision maker and appropriate process.
- 5.1.2. Based on the alleged deficiencies or misconduct, the Employee and Labor Relations Office will determine whether a fact-finding process is needed and may refer such matter for fact-finding or investigation to other university offices as relevant.

### 5.2. Appeal

- 5.2.1. An appeal right exists for professional faculty members who believe they were aggrieved by the procedural application of this policy or to assert a claim of discrimination or retaliation. Any such grievance will follow the process outlined in University Policy 576–050 *Faculty Grievance Procedure*.

## 6. Forms & Tools

- 6.1. None.

## 7. Frequently Asked Questions

- 7.1. None.

## 8. Related Information

- 8.1. University Policy 05-100 *Termination Not-for-Cause of Professional Faculty Appointment*.
- 8.2. University Policy 576-050 *Faculty Grievance Procedure*.
- 8.3. University Policy 580-021 *Conditions of Service*.

## 9. History

- 9.1. Adopted by OSU: University Policy 05-101 *Discipline and Termination for Cause of Professional Faculty Member's Appointment* was approved on an interim basis on September 28, 2021. The interim policy was revised, renamed, renumbered and adopted as University Policy 05-105 *Corrective Discipline and Termination for Cause of Professional Faculty Appointment* on December 14, 2022.
- 9.2. Next scheduled review date: December 2025.

## 10. Website

- 10.1. [https://policy.oregonstate.edu/UPSM/05-101\\_termination\\_for\\_cause\\_professional\\_faculty](https://policy.oregonstate.edu/UPSM/05-101_termination_for_cause_professional_faculty).

## 11. Contacts

Department	Phone Number	Website
Office of Faculty Affairs	541-737-0732	<a href="https://facultyaffairs.oregonstate.edu/">https://facultyaffairs.oregonstate.edu/</a>
Employee and Labor Relations	541-737-3103	<a href="https://hr.oregonstate.edu/employees/employee-and-labor-relations">https://hr.oregonstate.edu/employees/employee-and-labor-relations</a>