

# **Procedure Title: Suspension of Tenured Faculty**

**Impact:** Employees

**Responsibility:** Tenure Committee

**Effective Date:** 06/26/02

**Last Update:** 08/27/10

**Relates to Policy:** 3.02.31

**Legal Citation(s):**

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## **I. Initiation of Suspension**

- A. The Chief Academic Officer (CAO) may place a tenured faculty member on immediate paid suspension for up to three (3) months pending investigation into allegations of improper conduct or behavior in accordance with the associated policy.
- B. The CAO shall provide written notice of suspension to the tenured faculty member, which notice shall be hand delivered or mailed via U.S. mail to the address on record. The CAO will also supply the Tenure Committee and the president with notice of the suspension.
- C. Within seven (7) calendar days of the issuance of the notice of paid suspension, the CAO shall provide the tenured faculty member with written justification for the suspension and a statement of the rights of the employee to appeal the decision to a vice president (other than the CAO) designated by the president.

## **II. Appeal**

- A. The faculty member may request an informal hearing to appeal to the designated vice president, within seven (7) calendar days of receipt of the written notice of the initial paid suspension. The request for hearing shall be in writing and served upon the CAO and the designated vice president, by hand delivery or via U.S. mail, to the campus address. The purpose of the hearing is to determine whether the allegations could, if proved, damage or create a detriment to the college, its students, faculty or employees.
- B. Within fifteen (15) calendar days of the service of the request for appeal, the designated vice president shall meet with the faculty member to allow him/her the opportunity to be heard and to present such witnesses and documentary evidence on the issue of whether the suspension is warranted.
- C. If the designated vice president determines that the initial suspension is not supported by sufficient evidence, that vice president shall make that determination in writing and serve it upon the CAO at the campus address and upon the tenured faculty member, by hand

delivery or U.S. mail, to the address on record. Upon service, the tenured faculty member shall forthwith be reinstated to his/her normal duties.

- D. If the designated vice president determines that the initial suspension is supported by sufficient evidence, the vice president shall make the determination upholding the suspension in writing and serve it by hand delivery or U.S. mail upon the CAO, at the campus address, and upon the tenured faculty member, at the address on record.

### **III. Investigation**

- A. Unless the suspension is dismissed by the designated vice president, the CAO or his/her designee will direct an investigation into the facts as is necessary to make a determination on the merits of the suspension.
- B. Such investigation conducted by NIC shall be completed with all deliberate speed within three months. Suspension may be continued where allowed by the associated policy. The CAO will provide notice of an extended, unpaid suspension to the faculty member by hand delivery or via U.S. mail to the address of record before the expiration of the initial three (3) month suspension.
- C. Copies of the CAO's official findings will be provided to the faculty member and placed in the faculty member's personnel file located in the Human Resources Office.

### **IV. Conclusion of Suspension**

- A. If, during the course of the investigation the CAO finds that there is not sufficient cause for suspension, he/she shall conclude the suspension and provide notice to the tenured faculty member by hand delivery or via U.S. mail, to the address of record, of reinstatement to his/her normal duties, and the tenured faculty member's personnel file, located in Human Resources, will be purged of all documents relating to the suspension. The CAO will also supply the Tenure Committee and the president with notice of the discontinuance of suspension.
- B. If, following investigation, the CAO determines that the suspension should be discontinued but that there is need for remediation, the CAO shall implement such remediation measures pursuant to NIC Faculty Remediation Policy and Procedure.
- C. If, at the conclusion of the investigation, the CAO determines that there is cause for termination of employment, suspension will continue until the CAO's written determination stating the reasons for the decision is served upon the faculty member by hand delivery or via U.S. mail. Termination will be implemented pursuant to NIC Faculty Termination Policy and Procedure.