

Cornell University AFPS Committee

Summary of suspension policy draft proposals

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I. Background

AFPS charged by ex-Dean of Faculty Cooke in Spring 2003 to:

- Review existing policies at Cornell concerning suspension of faculty; and
- Review the protocols recommended by the AAUP for this situation, as well as protocols used by our peers.

II. Existing policies governing faculty misconduct

- Campus code covers non-work-related misconduct only;
- For work-related misconduct, a series of independent policies have been promulgated: e.g., sexual harassment, financial irregularities, academic misconduct, conflict of interest;
- For work-related misconduct outside the jurisdiction of these specific policies, no university policies or procedures have been developed, except as follows:
 - for certain professorial titles, a university "dismissal" procedure exists; and
 - college grievance procedures may be invoked, but only after a sanction has been imposed.
- There are no specific procedures governing the imposition of the sanction of suspension for work-related misconduct (except to grieve after the fact).

III. Some underlying problems

- Incremental growth of policies; no comprehensive and coherent system for faculty misconduct.
- The question of jurisdiction is quite complex. Existing definitions of "faculty" vary within Cornell from the most restrictive (the "dismissal" procedure is limited to four classes of professorial titles) to the most broad (grievance procedures are designed for all employees of the university with teaching/research responsibilities, except for Tas, Ras, and GRAs).

IV. Proposals for "severe" sanctions

- Add suspension to the existing university "dismissal" procedure;
- Faculty not covered by revised "dismissal" procedure have right to file a grievance within the existing college structure before sanction is imposed;
- Emergency suspension with pay for a faculty member charged with misconduct, pending the final determination of the case, where serious harm to the faculty member or to others is threatened.

V. Proposal for "minor" sanctions

- Faculty are to be notified of the charge and given the opportunity to be heard before the minor sanction is imposed. This merely formalizes what typically occurs in any case.

VI. Structure of the proposals: 2 parts

- (1) Proposed revision of the "dismissal procedure," to include suspension.

(2) Proposed policy on (work-related) faculty misconduct: a "roadmap" providing guidelines for the imposition of both severe and minor sanctions.

- References the (revised) dismissal procedures;
- Sets limits on the duration of suspensions;
- Establishes reporting requirements for severe sanctions;
- Mandates that no severe sanction can be imposed without first providing the opportunity for a hearing;
- Establishes guidelines for the imposition of minor sanctions; and
- Allows for emergency suspension (with pay) pending resolution of a misconduct charge.

As written, the first part could stand alone, while the second part presumes that the dismissal procedures (the first part) have been revised to include suspensions.

VII. Peer institutions

Most universities for which we have documentation, as well as the AAUP, link dismissal and suspension in a single procedure.

Virtually every university for which we have documentation, as well as the AAUP, provide for implementation of dismissal and suspension at the presidential level or higher.

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