

**Proposal for Changes to Rice University Policy 201.
Faculty Appointments, Promotions and Tenure**

Make the following change to:

8.a.5. Applicability of other policies

Occasionally, other university policies may be established, such as the currently existing policies on ~~sexual harassment and~~ research misconduct, that provide for a range of potential sanctions and a committee to review allegations against a faculty member. A hearing held in accordance with those policies will not substitute for the dismissal proceedings required in this policy as described above in paragraphs 8.a.2 through 8.a.4, **unless such a proceeding is for Sexual Misconduct Title IX as defined in Policy 828 , and where the faculty member is permitted a hearing and an appeal to the President of the University. Such a Sexual Misconduct Title IX hearing will fully substitute for procedures outlined in 8.a.2 through 8.a.4.**

Rice University Policy 201A. Faculty Senate Procedure for Investigating Accusations Warranting Severe Sanctions, including dismissal, Against Faculty Members

(Proposed changes in red)

On rare occasions the administration may accuse a faculty member of misconduct or inappropriate behavior serious enough to warrant severe sanctions, including dismissal for cause. (See Rice Policy 201.) When such accusations arise, the procedures described below will be followed (unless the allegation is Sexual Misconduct (Title IX), as defined in Policy 828 Sexual Misconduct Policy for Faculty, Staff, and Students.

1. The procedure may depend on the nature of the alleged misconduct:

When sexual harassment is alleged (other than Sexual Misconduct (Title IX)), current Rice Policy 830 describes the investigative steps to be taken and the procedures to be followed. When research misconduct is alleged, Rice Policy 324 describes such steps and procedures. When Sexual Misconduct (Title IX) is alleged, current Rice Policy 828 provides the investigative, adjudication, hearing, and appeal procedures to be followed.

In all other cases in the procedure described below, there are three phases or steps, two of which are informal and preliminary to a third phase consisting of a written statement of charges by the university followed by a formal hearing when lawyers may be present.

Other than allegations of “Sexual Misconduct Title IX”, no policy, ~~whether relating to sexual harassment, research misconduct or any other form of inappropriate behavior,~~ may deprive a faculty member, accused of an act that could warrant severe sanctions or dismissal, of the opportunity to undergo the third phase as described in this document below.

2 c) Third Stage: Hearing Panel. A statement of charges, framed with reasonable particularity by the President or the President's designated representative (who may be an administrator or a faculty member), which may or may not include proposed sanctions, and a formal hearing described in paragraph 3 in which the administration's designate and the faculty member, who may exercise the opportunity to be advised and/or represented by a faculty advocate or a lawyer, will present arguments and evidence before a panel of the faculty member's peers. Only in this third stage will advocates or lawyers be a part of the proceedings. If the charge is Sexual Misconduct (Title IX), this section does not apply, and the hearing and appeal process provided for in Policy 828 will replace the hearing provided for in this section.