Commission on Faculty Affairs

RESOLUTION TO REVISE FACULTY HANDBOOK SECTION ON SANCTIONS FOR NON-TENURE-TRACK INSTRUCTIONAL FACULTY
CFA 2026-2027G

Resolution Proposal Form Sent to University Council Cabinet	~~Date~~September 8, 2026
First Reading by Commission	~~Date~~October 16, 2026
Approval by Commission	Date
First Reading by Senate	Date
Approval by Senate	Date
Faculty Senate Comment	Date
Staff Senate Comment	Date
Administrative and Professional Faculty Senate Comment	Date
Graduate and Professional Student Senate Comment	Date
Undergraduate Student Senate Comment	Date
First Reading, University Council	Date
Approved, University Council	Date
Approved, President	Date
Approved, Board of Visitors	Date
Effective Date	Upon Approval or Date

WHEREAS, the current *Faculty Handbook* language on severe sanction and dismissal for ~~NTT~~ non-tenure-track ~~Instructional~~ instructional ~~Faculty~~ faculty in Chapter 5 ~~(5.3.1 Dismissal for Cause)~~ does not provide any provisions for disciplinary action (sanctions) for ~~NTT Instructional Faculty~~ these faculty besides dismissal; and

WHEREAS, in 2025, Chapter 3 ~~(3.10)~~ of the Faculty Handbook was updated to include language providing for a "minor sanctions" process overseen through appropriate faculty governance for ~~TT~~ tenure-track ~~Instructional~~ instructional ~~Faculty~~faculty; and

~~**WHEREAS**, the current language found in 5.3.1 on dismissal lacks sufficient clarity and consistency; and~~

WHEREAS, the absence of a minor-sanction provision for non-tenure-track instructional faculty ~~NTT Instructional Faculty~~ limits the University's ability to use proportional, progressive disciplinary measures; and

WHEREAS, codifying minor and severe sanctions will promote consistency by replacing ad hoc administrative practices with clear, institution-wide procedures; and

WHEREAS, faculty participation through appropriate committees at each stage of progressive discipline is essential to ensuring due process and shared governance;

NOW, THEREFORE, BE IT RESOLVED that Chapter 5 of the Faculty Handbook~~, section 5.3,~~ be updated to include language providing for minor and severe sanctions ~~in~~

~~a fashion that mirrors~~that aligns, as~~, wi~~ appropriate, with the same section in Chapter 3~~appropriate changes for the difference in series, the language from 3.10~~; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that Chapter 5 of the Faculty Handbook, ~~Section 5.3,~~ be revised as shown below with changes underlined and in red.

5.7 Imposition of a Minor or Severe Sanction, or Dismissal for Cause

Sanctions can be sought for a variety of issues as described below; however, should the sanctions be for behaviors falling within the jurisdiction of other university policies and procedures (for example, complaints of unlawful discrimination or harassment), the sanctioning process will not begin until after any ongoing investigation by the appropriate university office concludes. Any sanction resulting from the process described in this section cannot relitigate the previous case or alter any sanction resulting from that case.

5.7.1 Adequate Cause

Adequate cause for imposition of a sanction or dismissal is related, directly and substantially, to the fitness of faculty members in their professional capacity as teachers, scholars, and university citizens. Imposition of a sanction or dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights.

Adequate cause for a minor sanction includes: failure to meet established professional responsibilities; neglect of duties; inappropriate conduct toward colleagues, students, or staff; disregard of institutional policies or reasonable directives; or ongoing unprofessional behavior or other actions inconsistent with the standards of professional conduct expected of members of the faculty.

Adequate cause for a severe sanction or dismissal for cause includes: violation of professional ethics (see chapter two of this handbook "Professional Responsibilities and Conduct"); incompetence; willful failure to carry out professional obligations or assigned responsibilities; willful violation of university and/or government policies; falsification of information relating to professional qualifications; inability to perform assigned duties satisfactorily because of incarceration; or personal deficiencies that prevent the satisfactory performance of responsibilities; or an extensive and sustained record of minor sanctions, imposed over time and through the process outlined below allowing opportunity for correction, that collectively demonstrate a significant and willful failure to meet professional obligations, standards, or assigned responsibilities. Filing a grievance shall not constitute just cause for termination.

Reason to consider the imposition of a severe sanction or dismissal for cause is usually determined by a thorough and careful investigation by an appropriately charged faculty committee (as in the case of allegations of ethical or scholarly misconduct) or by the relevant administrator (for example, the department head, chair, or school director, compliance officer, internal auditor, or Virginia Tech Police). Generally, these investigations result in a report of findings; some reports also include recommendations for sanctions. The report is directed to the relevant administrator for action; it is also shared with the faculty member.

Imposition of a sanction or initiation of dismissal for cause proceedings, if warranted, follows the procedures set forth below.

5.7.2 Imposition of a Minor Sanction

Definition and examples: A minor sanction generally involves a loss of privileges or penalty to a faculty member such as, but not limited to, a written reprimand or counseling memo inserted into the faculty member's personnel file, no merit increase, or removal of graduate student supervisory privileges.

Process for imposing a minor sanction: The conduct of a faculty member, although not constituting adequate cause for imposition of a severe sanction or dismissal, may be sufficiently serious to justify imposition of a minor sanction. Imposition of a minor sanction follows these steps:

Step one. A discussion, typically between the faculty member and the administrator wanting to impose the sanction (typically, their department head, chair, or school director), looking toward a mutual settlement. If a mutual settlement is found, this ends the matter.

Step two. If a mutual settlement is not found, the administrator wanting to impose a sanction contacts the standing committee of the college specifically charged with evaluating minor sanctions within 10 university business days from the conclusion of step one. The administrator provides evidence to the committee documenting the reasons sanctions are being sought and may propose a possible sanction. The committee may request information from the faculty member and the administrator. Within 30 university business days from receiving evidence, the committee makes a recommendation to the administrator who referred the matter to the committee. If the committee determines a sanction is not warranted, this ends the matter.

Step three. If the committee determines there is adequate cause for imposing a minor sanction, they provide a report of findings to the administrator who referred the matter to them; the report shall include recommendations for the appropriate sanction.

Step four. The administrator decides on the appropriate sanction, taking into consideration the recommendation(s) of the committee, and informs the faculty member of the recommended minor sanction in writing. Prior to implementation of the sanction, the faculty member will be afforded a period of not less than 5 university business days to review the proposed sanction and to respond to the administrator as to why it should not be imposed. If the administrator proceeds with a sanction and the sanction is fully consonant with the recommendation(s) of the college committee, then this ends the matter.

Step five. If the sanction is more severe than that recommended by the committee, then the faculty member may appeal to the administrator's supervisor in writing within 5 university business days. The decision of the next level supervisor is final.

Sanctions imposed through this process are ineligible for grievance unless the process as described herein was not followed. Such a grievance would follow the procedures defined in this Faculty Handbook.

All requests for and imposition of minor sanctions will be reported to Faculty Affairs, and Faculty Affairs will provide an annual report to the President of Faculty Senate of aggregate trends to monitor the use of such sanctions.

An overview of this process is provided in the table below.

Process Step	**Action**
Step one	Discussion between faculty member and the administrator wanting to impose the sanction (typically the department head, chair, or school director).
Step two	If mutual settlement not found, administrator wanting to impose a sanction contacts standing committee of the college specifically charged with evaluating minor sanctions within 10 university business days from conclusion of step one. Inquiry by standing college committee. Within 30 university business days from receiving evidence, the committee evaluates and makes recommendation to administrator who referred the matter to the committee. If committee determines sanction is not warranted, matter closed.
Step three	If committee determines sanction is warranted, committee refers matter to administrator from step one, which includes a proposed sanction.
Step four	Administrator decides on the appropriate sanction and informs faculty member of the recommended minor sanction in writing.
Step five	If the sanction is more severe than the committee recommendation, faculty member may appeal to administrator's supervisor in writing within 5 university business days. The decision of next level supervisor is final.

The procedures outlined above are the normal process for the imposition of a minor sanction and reflect the important role of faculty participation in such matters. In rare and exceptional circumstances, an administrator may bypass the committee with approval of the vice provost for faculty affairs in consultation with the president of Faculty Senate. In addition, nothing in this section shall limit the authority of the president or provost to directly impose a minor sanction when circumstances warrant.

5.7.3 Imposition of a Severe Sanction

Definition and examples: A severe sanction generally involves a significant loss or penalty to a faculty member such as, but not limited to, a demotion in rank and/or a reduction in salary or suspension without pay for a period not to exceed one year.

Routine personnel actions such as a recommendation for no merit increase, conversion from a calendar year to an academic year appointment, reassignment, or removal of an administrative stipend do not constitute "severe sanctions" within the meaning of this policy. A severe sanction may be a valid issue for grievance under procedures defined in this Faculty Handbook.

Process for imposing a severe sanction: The conduct of a faculty member, although not constituting adequate cause for dismissal, may be sufficiently grave to justify imposition of a severe sanction. Imposition of a severe sanction follows these steps:

Step one. Discussions between the faculty member, the administrator wanting to impose the sanction (typically their department head, chair, or school director), dean, and provost, looking toward a mutual settlement. If a mutual settlement is found, this ends the matter.

Step two. If a mutual settlement is not found, the administrator wanting to impose a sanction contacts the Faculty Review Committee within 10 university business days from the conclusion of step one. An inquiry will be made by a hearing panel comprised of five members of the Faculty Review Committee selected by the Faculty Senate Review Committee chair. The hearing panel reviews the evidence and determines whether there is sufficient cause to impose a severe sanction. The hearing panel evaluates the evidence and makes a recommendation to the provost within 45 university business days from date the Faculty Review Committee was contacted. The requirement for an inquiry is satisfied if the investigation was conducted by another appropriately charged faculty committee (as would be the case with an alleged violation of the ethics or scholarly misconduct policies). If the hearing panel determines that a sanction is not warranted, this ends the matter.

Step three. If the hearing panel determines there is adequate cause for imposing a severe sanction, the hearing panel provides a report of findings to the provost, which shall include a proposed sanction.

Step four. The provost decides on the appropriate sanction, taking into consideration the recommendation(s) of the hearing panel, and informs the faculty member of the sanction in writing. Prior to implementation of the sanction, the faculty member will be afforded a period of not less than 5 university business days to review the proposed sanction and to respond to the provost as to why it should not be imposed. If the provost proceeds with a sanction that is fully consonant with the recommendation(s) of the hearing panel, then this ends the matter.

Step five. If the sanction is more severe than that recommended by the hearing panel, then the faculty member may appeal to the president in writing within 5 university business days. The president's decision is final.

An overview of this process is provided in the table below.

Process Step	Action
Step one	Discussion between faculty member and the administrator wanting to impose the sanction (typically their department head, chair, or school director), dean, and provost. If no mutual settlement reached, move to step two.
Step two	Administrator wanting to impose a sanction contacts the Faculty Review Committee within 10 university business days from the conclusion of step one. Faculty Review Committee selects hearing panel. Faculty Review Committee hearing panel reviews evidence, makes a recommendation to the provost within 45 university business days from date the Faculty Review Committee was contacted. If hearing panel determines sanction is not warranted, matter closed.
Step three	If hearing panel determines sanction is warranted, matter is referred to the provost, which may include proposed sanction.
Step four	Provost decides on the appropriate sanction, taking into consideration the recommendation(s) of the hearing panel, and informs faculty member of sanction in writing. Faculty member has 5 university business days to review proposed sanction and respond to provost. If provost proceeds with a sanction that is fully consonant with the recommendation(s) of the hearing panel, then this ends the matter.
Step five	If the sanction is more severe than the hearing panel recommendation, the faculty member may appeal to the president in writing within 5 university business days. The decision of the president is final.

5.~~7~~ 8 Termination Procedures for Non-Tenure-Track Faculty on Regular Appointments

Members of the non-tenure-track faculty may be removed from their position by one of the following three procedures: (1) ~~removal for just~~dismissal for cause, (2) non-reappointment, or (3) termination of position because of insufficient funds or no further need for services. Notice of non-reappointment for non-tenure-track instructional faculty members on regular appointments is addressed in chapter two of this handbook "Non-Reappointment of Faculty Members on Regular Appointment".

5.~~7~~8.1 Dismissal for Cause

5.8.1.1 Dismissal for Cause due to Unsatisfactory Performance ~~Stated causes for removal shall include, but are not limited to, professional incompetence; unacceptable or unsatisfactory performance after due notice; unethical conduct or misconduct that interferes with the capacity of the employee to perform effectively the requirements of the position; violation of university policy; or falsification of credentials, experience, leave reports, or other official university documents.~~

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~~Filing a grievance shall not constitute just cause for termination.~~

When it becomes necessary to terminate a non-tenure-track faculty member for unsatisfactory performance prior to the end of the appointment period, the following procedures apply:

Step one: The department head, chair, or school director writes a letter to the faculty member detailing the areas of performance that are deficient and setting clear expectations for acceptable performance and continued employment. The college dean receives a copy. The letter states the time period in which the deficiencies must be addressed. This time period will be not less than 30 calendar days.

Step two: At the end of that period, the department head, chair, or school director must again write the faculty member with an evaluation of their performance with a copy to the college dean. If performance continues to be unsatisfactory, this second letter may contain a notice of termination. The termination notice will have an effective date of 45 calendar days or more from the date of the second letter. In cases where there is a threat to health or safety, the 45-day period may be waived.

5.8.1.2 Dismissal for ~~cause~~ Reasons Other Than~~not involving~~ ~~unsatisfactory~~ Unsatisfactory ~~performance~~Performance~~:~~.

For ~~termination~~ dismissal for cause for reasons other than unsatisfactory performance, the faculty member shall receive written notification of the reasons for termination and shall be allowed an opportunity to respond within five ~~workdays~~university business days.

With the approval of the provost, a faculty member may be suspended with or without pay pending an investigation into allegations of wrongdoing.

Appeal to the dean: The faculty member may appeal notification of dismissal for cause to the college dean; ~~and~~ the termination will be held in abeyance until the appeal process is complete. The appeal must be made in writing within five ~~working~~ university business days of receipt of the notification of termination. The dean must respond in writing within 10 ~~working~~ university business days.

Appeal to the provost: If the dean's response is unsatisfactory to the appellant, an appeal may be made to the provost in writing within five ~~working~~ university business days. The provost appoints a committee of three members of the general faculty to review the case and make recommendations to the provost. The decision of the provost is final. The above time limits of the appeal process may be altered by extenuating circumstances and the agreement of both parties.

5.~~7~~8.2 Termination of Position Due to Insufficient Funds or No Further Need for Services ~~Termination of Appointment During the Contract Period~~

Occasionally a decline in funding resources makes it necessary to terminate an appointment before the end of a contract. While department heads, chairs, or school directors are encouraged to make every effort to assure continuity of employment to individuals performing satisfactorily, there are circumstances in which this may not be possible or in the best interest of the university. Non-tenure-track faculty appointments may be terminated in the case where there are insufficient funds or no further need for services. Written notice of termination will follow the schedule outlined in chapter two of this handbook "Non-Reappointment of Faculty Members on Regular Appointment"~~in chapter two of this handbook "Retirement, Resignation, and Non-Reappointment"~~. A proposed notice of termination during the contract period because of insufficient funds or lack of need for services requires the approval of the dean and provost.