



A52.1.1 Faculty Misconduct Review Committee

Approved By: Faculty Senate and Academic Freedom and Tenure Committee

Effective: **Draft 1/5/21 NEW Policy**

Responsible Faculty Committees: Academic Freedom and Tenure Committee

Office Responsible for Administration: Office of the Provost and Office of the Executive Vice President for Health Sciences

Legend: This is a new proposed policy—all text is new.

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the Academic Freedom and Tenure Committee

POLICY RATIONALE

Because the Academic Freedom and Tenure Committee (AF&T) is responsible for reviewing significant decisions affecting faculty tenure, promotion, sabbatical leave and employment, the Faculty Misconduct Review Committee (FMRC) is a standing committee of AF&T and appointed by AF&T to conduct a peer hearing requested by a faculty member who has been accused of misconduct and has received notice from the chair that proposed disciplinary action includes suspension without pay for any faculty member or dismissal of faculty member without tenure.

POLICY STATEMENT

Faculty may volunteer or be recommended to serve on the FMRC. AF&T will appoint at least nine (9) FMRC members and provide training. The FMRC will normally confer within thirty (30) days after being appointed and elect a chair.

Membership: The FMRC consists of nine (9) faculty members. Normally, at least two (2) members will be former AF&T members. They will serve two-year staggered terms. Terms may be renewed, but members may not serve more than four (4) consecutive years. Pending cases shall continue with original panel members until closed even if a faculty member’s term expires during process.

When the Chair of the FMRC receives a request for a peer hearing in accordance with Faculty Handbook Policy **C07**, the Chair will appoint a Hearing Panel composed of five (5) FMRC members. If the hearing is requested by a graduate or professional student, a graduate or professional student, appointed by the Graduate and Professional Student Association, shall serve on the Hearing Panel. The hearing will be held as soon as reasonably possible and shall be conducted according of the Model Hearing Procedures. The Panel will send a recommendation to the FMRC for a final decision. Decisions from the FMRC will be submitted to AF&T for confirmation.

APPLICABILITY

All UNM faculty, including the Health Sciences Center and Branch Community Campuses.

Revisions to the remaining sections of this document may be amended with the approval of the Academic Freedom and Tenure Committee.

DEFINITIONS

There are no specific definitions required by this Policy.

WHO SHOULD READ THIS POLICY

- All UNM faculty.
- Academic administrators and staff.
- Administrative staff responsible for policy development.

RELATED DOCUMENTS

Faculty Handbook:

[Policy A51](#) "Faculty Constitution"

[Policy A52.1](#) "Academic Freedom and Tenure Committee"

[Policy C07](#) "Faculty Misconduct and Progressive Discipline Policy"

[Model Hearing Procedures](#)

CONTACTS

Direct any questions about this policy to Office of the University Secretary.

PROCEDURES

If the investigative procedure involved a hearing before a faculty committee, any factual determination will not be subject to reconsideration by faculty peer review under this Policy. The FMRC will meet as required to appoint hearing panels and approve panel decisions. The Committee Chair will report Committee decisions to the AF&T Committee.

DRAFT HISTORY

[October 9, 2020 – change made by AF&T to address campus comments.](#)

June 19, 2020 – approved by AF&T

June 3, 2020 – approved by Policy Committee

May 29, 2020 – change for Section B taskforce meeting

January 27, 2018 – New Policy draft

HISTORY
