

UNIVERSITY GUIDELINES

Title

University of North Carolina at Chapel Hill Guidelines on Faculty Performance and Discipline

Introduction

Purpose

The University of North Carolina at Chapel Hill (“UNC-Chapell Hill” or “University”) is committed to excellence through teaching, research, and service. The University expects faculty members to uphold these principles through their intellectual integrity and professional behavior.

To sustain a community of academic excellence and accountability, the University has established guidelines for corrective measures and discipline for faculty members with unsatisfactory performance, which may include incompetence and/or neglect of duties. These guidelines ensure faculty members effectively fulfill their teaching, research, and service responsibilities.

These guidelines and associated procedures explain the following:

- the University’s process for addressing faculty incompetence and/or neglect of duties,
- remedial steps to address performance deficiencies, and
- the types of corrective measures and disciplinary actions the University may impose for performance deficiencies.

Scope

These guidelines apply to all faculty members (fixed-term, tenure-track, and tenured).

NOTE: All faculty members, whether temporary or permanent, are expected to comply with all department, school, University, and UNC System policies, procedures, standards, and rules that apply to employees. The guidelines herein may be modified in addressing disciplinary matters for temporary faculty members.

Definitions

Corrective Measure: A non-punitive action that can range in outcomes based on the nature of the performance being addressed.

Discipline: A punitive action that corresponds proportionately to the nature, severity, and impact of the performance or conduct being addressed.

Faculty Success Plan: A supportive and personalized document designed to help individual faculty improve their performance and excel in their role, utilized for both annual evaluations and post-tenure reviews.

Incompetence: This includes, but is not limited to, significant unsatisfactory performance that persists despite the faculty member being given an opportunity to remedy such performance but failing to do so.

Inquiry: A preliminary process of gathering and reviewing information to determine whether a formal investigation is warranted.

Investigation: A formal, administrative process of collecting and examining facts and evidence to determine whether a policy violation or violation of law has occurred.

Neglect of Duty: This includes, but is not limited to, sustained failure to meet assigned classes or to perform other significant faculty professional obligations. The neglect of duty can also pertain to the incompleteness and tardiness by which work expectations are performed. Under this definition, a faculty member can perform satisfactorily in one or more categories but neglectful in parts of or the entirety of another work category.

Performance Review or Evaluation: The annual performance assessment process for faculty.

Progressive Discipline: The application of steps that impose discipline in a gradually increasing manner that correlates to the nature, severity, and impact of the conduct being addressed.

Guidelines

[The University's Expectations for Faculty Performance](#)

The University aims to provide faculty with performance reviews that recognize excellence, offer feedback and correction for improvement, and communicate opportunities for growth and development. Each academic school conducts annual reviews to assess faculty performance and communicate yearly expectations.

Faculty performance standards may also be outlined in personnel policies, annual work plans, and appointment letters.

The University expects all faculty members whether temporary or permanent, to:

- meet performance standards consistent with the University's mission, and
- exhibit excellence while carrying out their responsibilities in teaching, research, and service.

The University has established these expectations to accomplish the following:

- meet its commitment to students and the academic community;
 - provide an environment conducive to effective teaching, research, learning, and service;
 - foster integrity and personal and professional growth;
 - create a community of scholarship, academic success, and responsible citizenship;
 - promote transparency about expectations and the process followed when they are not met;
- and

- ensure compliance with all department, school, University, and system policies, procedures, standards, and rules that apply to employees.

The University will address performance that fails to meet standards set in the faculty member's annual evaluation, work plan, appointment letter, or other applicable personnel policies. Disciplinary actions under these guidelines exclude suspension, demotion, or discharge. If the imposition of a suspension, demotion, or discharge is being considered, the University will follow the provisions of the Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill ("University's Tenure Regulations").

The University reserves the right to revise these guidelines as necessary to address faculty disciplinary matters.

Grounds for Corrective Measures or Disciplinary Actions

A faculty member may be subject to corrective measures or disciplinary action for cause if University officials determine the faculty member violated department, school, University, UNC System, or State of North Carolina ("State") policies, regulations, rules, or guidelines. This includes consistent failure to meet standards of performance, such as incompetence or neglect of job duty.

The corrective measures and disciplinary actions listed are not intended to be exhaustive but to illustrate key categories of common penalties. Corrective measures and disciplinary actions will be imposed with approval from the Executive Vice Chancellor and Provost ("Provost") or their designee after following, in good faith, the procedures outlined in these guidelines.

Faculty members required to maintain professional licensures and certifications will be managed according to applicable school and University policies.

When warranted, the University may combine a corrective measure with disciplinary action.

Corrective Measures

The University imposes corrective measures as a preventative step to address faculty performance that is below acceptable standards. The objective is to facilitate sustained improvement in areas of responsibility where deficiencies exist.

Types of Corrective Measures

Corrective measures imposed may include, but are not limited to:

1. Letter of Counseling
 - a. A non-disciplinary letter that is maintained only in the faculty member's department file. The document should include the components outlined in the Faculty Counseling Template. *The letter may also be referred to as a Memo of Expectations.*
2. Mandatory training and/or development coaching.
 - a. Remediation will be based on area(s) needing improvement.
3. Reassignment of job duties, which may result in a pay adjustment.

Annual Faculty Evaluation

Every faculty member, regardless of tenure status, will receive an annual evaluation to assess performance, academic contributions, and professional accomplishments as defined in the faculty work plan. Faculty members who receive a rating of “Not Meeting” on one or more performance goals will be placed on a Faculty Success Plan in accordance with the University’s [Faculty Workload Policy](#).

Post-Tenure Review

Each academic school will develop written policies and procedures outlining how Faculty Success Plans resulting from annual reviews will be integrated into the post-tenure review process. Faculty who receives an overall rating of “Does Not Meet Expectations” in their post-tenure review will be subject to a Faculty Success Plan, as outlined in the [Post-Tenure Review Policy](#).

Disciplinary Actions

Decision to Impose Disciplinary Actions

Disciplinary action imposed on a faculty member is punitive and is in response to substantiated violations of a University, UNC System, or departmental, school/division policies, procedures, rule, or standards of faculty performance.

Determining Appropriate Disciplinary Actions

The penalties for performance concerns vary. The severity of discipline will not exceed a level that is reasonably commensurate with the seriousness of the performance concern as determined by the department head(s) or dean/designee, in consultation with the Office of Faculty Affairs. Where applicable, the University may impose more than one action for a single act based on the following:

- nature of the performance issue(s),
- violation of applicable policy, regulation, and/or
- impact on the University, including but not limited to any adverse conditions experienced at a unit or school level by its students, faculty, staff, and/or institutional or community partners.

Types of Disciplinary

The University may impose disciplinary actions for violations of faculty performance standards or as outlined in the [University's Tenure Regulations](#).

Disciplinary action imposed may include, but is not limited to:

1. Letter of Reprimand
 - a. A formal disciplinary letter to the faculty member’s personnel file. The document should include the components outlined in the Faculty Reprimand Template.
2. Reduction in salary or non-salary payment entitlement.
 - a. Allowable only if the faculty member is covered under an approved compensation plan.
3. Restriction on consideration of merit-based salary increases for a specified period.
4. Removal of administrative appointments.

If it is determined that the faculty member's performance warrants suspension, demotion, or discharge, the University will adhere to the given procedures outlined in the [University's Tenure Regulations](#).

Confidential Records

Records of disciplinary action for cause shall be kept confidential to the extent permitted by the law. Subject to legal limitations and limitations imposed by university policy, information regarding discipline of a faculty member may be disclosed when:

- disclosure is necessary for the effective operation of the University;
- the faculty member has granted permission,
- if necessary, respond to an appropriate inquiry from a potential future employer of the faculty member, or
- other appropriate circumstances in consultation with the Office of University Counsel.

The imposition of a disciplinary action is a personnel matter and will be kept confidential as required by the Personnel Records Policy under the State Human Resources Act. When the very nature of the discipline requires disclosure, the disclosure shall be made only to the extent necessary to those who have a bona fide need to know. Questions about disclosing discipline and related context should be directed to the Office of University Counsel or the Office Faculty Affairs.

Process for Addressing Faculty Performance

When performance concerns become known, specifically in cases of a faculty member's consistent unsatisfactory performance or neglect of duty, it is the department head(s) or dean/designee's responsibility to ensure that expectations have been clearly communicated to the faculty member.

Step 1 – Consult with the Office of Faculty Affairs

When a faculty member **consistently** fails to meet performance expectations due to neglect or deficiency in performing job responsibilities, the department head(s) or dean/designee will consult the Office of Faculty Affairs to discuss the process for addressing the concerns. The school/division HR Officer may be included in these discussions.

If other university offices refer a potential faculty performance concern to the Office of Faculty Affairs, they will notify the relevant department head(s) or dean/designee for appropriate action. The school/division HR Officer may be included in these discussions.

Step 2 – Performance Discussion

To address initial performance concerns, separate from the annual review process, the department head(s) or dean/designee should:

- conduct a meeting with the faculty member to discuss the performance concerns;
- revisit the faculty member's annual evaluation and annual work plan, if needed, to review performance expectations;

- outline specific steps the faculty member must take to address the performance concerns, including a timeframe for completion;
- partner with the faculty member to identify support resources and targeted programs; and,
- inform the faculty member of potential outcomes if performance concerns remain unresolved and expectations unmet.

The school/division HR Officer may be included in these discussions. The department head(s), dean/designee, or school/division HR Officer should provide the faculty member with a written summary of the discussion to ensure all parties are aligned on expectations. If the faculty member disputes the concerns, they will be given an opportunity to present relevant information to the department head(s) or dean/designee.

Contact the Equal Opportunity and Compliance Office

The department head(s) or dean/designee **must** end the discussion and consult the Equal Opportunity and Compliance Office if the faculty member attributes their performance issues to:

- a disability or medical condition,
- pregnancy or related medical conditions, and/or
- a religious practice or belief.

Importance of Documenting Concerns in Writing

The department head(s) or dean/designee is expected to maintain written documentation of all performance discussions with faculty members.

The documentation should summarize the discussion including the following points:

- reiterate performance standards;
- outline performance targets, including relevant deliverables and timelines;
- identify available resources to support improvement; and
- clearly state potential consequences for failing to meet the specified expectations.

The department head(s), dean/designee, or school/division HR Officer will provide the faculty member with a copy of the written summary to ensure all parties have a record of the discussion. Failure to maintain proper documentation of performance discussions may hinder the department head(s) or dean/designee's ability to administer progressive discipline.

Step 3 – When to Impose Corrective Measures

If the performance concern persists after Step 2, or the nature of the concern warrants further action, the department head(s) or dean/designee may consider corrective measures, such as a letter of counseling. The department head(s) or dean/designee will contact the Office of Faculty Affairs to discuss the concerns before taking action.

Step 4 – When to Issue Disciplinary Actions

If the performance concern persists after Step 3, the department head(s) or dean/designee will consult with the Office of Faculty Affairs and the Office of University Counsel to determine whether there is reasonable cause to support formal disciplinary action when:

- a corrective measure or other remedial steps do not yield performance improvement within a reasonable timeframe, and
- the faculty member continues not to meet the expectations of their role.

The department head(s) or dean/designee will notify the Office of Faculty Affairs for egregious or chronic performance concerns that may require a more immediate corrective approach.

Notification of Performance Concern

Before imposing disciplinary action, the department head(s) or dean/designee will give the faculty member written notice of the performance concern(s), including references to any prior remedial steps taken to address the deficiencies and/or supporting documentation. This notice should indicate the specific concerns that are the basis for further corrective action.

Step 5 – Outcome Meeting and Recommendation

The Office of Faculty Affairs, an attorney from the Office of University Counsel, and the department head(s) or dean/designee will hold an “outcome meeting” to discuss the performance concerns that may warrant corrective action.

The outcome meeting will involve a discussion to recommend action if it is determined that the faculty member failed to meet expectations due to any of the following:

- sustained unsatisfactory performance;
- significant neglect of duties; and/or
- violation of a University, UNC System, or school/division/department policy.

If the outcome meeting concludes that there are grounds to impose disciplinary action of suspension, demotion, or discharge according to the [University's Tenure Regulations](#), the department head(s) or dean/designee will adhere to the procedures outlined within these regulations.

The Associate Provost for Faculty Affairs will prepare a written summary of the performance issues and recommendations for the Provost.

Step 6 – Approval and Issuance of Corrective Measures and Disciplinary Actions

The provost may meet with the participants of the “outcome meeting” to hear and consider the recommendations and decide which actions to impose. In some cases, the Provost may accept the recommendations and delegate authority to the Associate Provost for Faculty Affairs or designee, who will work with the department head(s) or dean/designee to communicate the outcome to the faculty member, without additional conference. The provost will make that determination upon receipt of the written summary of the “outcome meeting” and will communicate that decision to the Associate Provost for Faculty Affairs or designee.

If the Provost approves a recommendation to impose corrective measures or disciplinary actions **not covered** under the [University's Tenure Regulations](#), the Office of Faculty Affairs and an attorney from the Office of University Counsel will assist the department head(s) or dean/designee with drafting a written communication to the affected faculty member. The communication will summarize the findings, specify the grounds for action being taken, and advise the faculty member of the available University dispute resolution policies available to them.

If the Provost approves a recommendation of suspension, demotion, or discharge, the discipline will be carried out per Section 3 of the [University's Tenure Regulations](#). Further, if the recommendation consists of the non-reappointment of a tenure-track faculty member, the discipline will be administered per Section 4 of the [University's Tenure Regulations](#). The Associate Provost for Faculty Affairs and an attorney from the Office of University Counsel will draft the written correspondence to the faculty member, which will be issued by the Provost. The faculty member will be advised of available University dispute resolution policies.

Dispute Resolution Procedures

To dispute imposed corrective measures and disciplinary actions not covered under the University's Tenure Regulations, the faculty member may seek resolution through the [Faculty Grievance Committee](#).

For matters where disciplinary actions are imposed for cause under the University's Tenure Regulations, the faculty member may exercise the right to appeal decisions that fall within the jurisdiction of the [Faculty Hearing Committee](#).

University Resources

Prior to or in conjunction with corrective measures or disciplinary action, a faculty member may be referred to resources offered by the University. However, such referrals are not to be considered a substitute for any action.

- [Employee Assistance Program](#)
- [University Ombuds Office](#)
- [Benefits and Leave](#)
- [Equal Opportunity and Compliance Office: Workplace Accommodations](#)

Related University Policies and Guidelines

- [Faculty Reviews Policy](#)
- [Faculty Workload Policy](#)
- [Post-Tenure Review Policy](#)
- [Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill](#)

