

## Appendix L Description of MSU Disciplinary Procedures

### A. STUDENT CONDUCT SYSTEM

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#### A.1 GENERAL

If a student is found responsible for an RVSM policy violation, the case is filed, by OIE, with Student Conduct and Conflict Resolution (SCCR). and the ADP/RVSM sanction panel determines the appropriate sanction.

The ADP/RVSMP Student Conduct Sanction and Appeal Procedures provide a detailed explanation of the student conduct system with respect to sexual misconduct and relationship violence at MSU. That document sets forth such things as evidentiary standard used as well as parties' right to advisors, timeframes, information, notifications, and other matters.

#### A.2 SANCTIONS

Per Article 5 of the Student Rights and Responsibilities<sup>1</sup> (SRR), possible sanctions for students found responsible for violating University policy are as follows:

1.       Warning: An official written statement expressing disapproval of the behavior and notifying the student it must not occur again.
2.       Probation: An official written statement establishing a period of time for observing and evaluating a student's conduct and indicating that any additional violations may result in more severe disciplinary action. This period may be accompanied by stipulations, including but not limited to restitution, participation in an educational program, or loss of specified University privileges.
3.       Restitution: A requirement that a student pay for property damages or losses resulting from acts committed by the student, with the date by which the restitution must be completed.
4.       Change of residence: The student shall be required to move from his or her current on-campus residence, either to an off-campus location or to another location within the University housing system.
5.       Other: The student may be required to complete an educational program or activity or comply with the reasonable conditions of a behavioral contract.
6.       Disenrollment from a course: If the complaint is based on disruptive behavior in a specific class, the hearing body may recommend to the Provost that the student be disenrolled from that course.

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<sup>1</sup> See <http://splife.studentlife.msu.edu/>.

7. Suspension: A suspension is temporary removal from the University for a particular period of time, at the conclusion of which the student is eligible to apply for readmission. A suspension may also be a conditional suspension, in which case the student must demonstrate that he/she has fulfilled stated conditions prior to applying for readmission. Only the Vice President may impose the sanction of suspension from the University.
8. Dismissal: A dismissal is a permanent removal from the University. Only the Vice President or Provost may impose the sanction of dismissal from the University.

## **B. EMPLOYMENT DISCIPLINARY SYSTEMS**

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In cases where the OIE investigation concluded that an employee violated the RVSM Policy, the final investigation report will be forwarded to the Office of Human Resources or Academic Human Resources for review and determination regarding any actions, including disciplinary action, that may be appropriate.

MSU is a large employer and has many different disciplinary policies and procedures. Each of these set forth below have their own timelines, evidentiary standards, rules about advisors and appellate rights. They are set forth in further detail in the policies, to which links are provided herein. There are also many other unit-specific policies and procedures that may relate to details about discipline and discharge. However, they are consistent with the broader university policies, as set forth herein.

### **B.1 POLICIES REGARDING DISCIPLINE**

Supervisors will institute discipline in accordance with applicable University policies, which include:

## **B.1.1 Faculty and Academic Staff**

### ***B.1.1.1 Discipline and Dismissal of Tenured Faculty for Cause:***

[https://www.hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/tenure\\_discipline\\_dismissal.html](https://www.hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/tenure_discipline_dismissal.html)

### ***B.1.1.2 Academic Specialist Handbook – Discipline:***

[https://www.hr.msu.edu/policies-procedures/faculty-academic-staff/academic-specialist-handbook/dismissal\\_discipline.html](https://www.hr.msu.edu/policies-procedures/faculty-academic-staff/academic-specialist-handbook/dismissal_discipline.html)

## **B.1.2 Support Staff**

### ***B.1.2.1 Applicable Union Collective Bargaining Agreement:***

<https://hr.msu.edu/contracts/index.html>

### ***B.1.2.2 Support Staff Disciplinary Action Policy & Procedure:***

<https://www.hr.msu.edu/policies-procedures/support-staff/support-staff-policies-procedures/discipline.html>

## **B.2 POLICIES REGARDING CHALLENGES TO DISCIPLINE**

The University has a number of procedures in place that permit employees to challenge disciplinary action, which include:

### **B.2.1 Faculty Grievance System**

A faculty or academic staff member (who is not covered by a collective bargaining agreement) may file a formal grievance against an administrator that alleges a violation of University, college, department, school, or unit policy or established practice. Thus, if a faculty member is disciplined under the RVSM policy, he/she may file a grievance with the Faculty Grievance Officer if the discipline violated a University, college, department, school or unit policy or established practice.

For more information on the Faculty Grievance Policy and process, see:

[https://www.hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/grievance\\_policy.html](https://www.hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/grievance_policy.html) and <https://fgo.msu.edu/>.

### **B.2.2 Employee Appeal Procedures**

Employees may file an appeal of the OIE finding on the basis that the decision was arbitrary and capricious or resulted from procedural error. Appeals of the OIE decision are governed by the Employee Appeal Procedures.

For more information on the Faculty & Academic Staff Appeal Procedures, see:

[www.oie.msu.edu](http://www.oie.msu.edu)

### **B.2.3 Union Contracts**

MSU is a party to a number of collective bargaining agreements with unions covering MSU employees. Each applicable collective bargaining agreement will govern how to challenge a

disciplinary action: <https://www.hr.msu.edu/policies-procedures/support-staff/support-staff-policies-procedures/discipline.html>.

#### **B.2.4 Other**

MSU has a grievance system for non-union regular support staff. The policy specifics are contained in the Non-Union Regular Support Staff Grievance Procedure: <https://www.hr.msu.edu/grievances/support-staff/procedures.html>.

### **B.3 POSSIBLE SANCTIONS**

Just as there are numerous employee groups on campus, there are numerous forms of discipline that may be issued. Following is a non-exhaustive list of possible forms of discipline:

1. Warning: A verbal or written warning to the employee that the behavior was unacceptable and must not occur again.
2. Change of work location: a respondent may be required to move from his or her current work location to another work location.
3. Other: a respondent may be required to complete a training program or activity or comply with the reasonable conditions of a behavioral contract.
4. Discipline: a respondent may receive some level of progressive discipline or may receive summary discipline depending on the context and the misconduct.
5. Demotion: a respondent may be demoted to another position in classification and/or pay.
6. Suspension: a respondent may be suspended as a result of misconduct under the policy.
7. Termination: a respondent may be terminated from MSU employment as a result of misconduct under the policy.

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