



Misconduct and Discipline of Academic Faculty

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Reason for Policy

The University's commitment to the highest standards of conduct is an integral part of its mission of excellence in teaching, research, clinical care, and public service. This policy exists to support a productive, safe, professional, and collegial working and learning environment; to protect the academic freedom of faculty and students; and to ensure that disciplinary processes are fair and transparent. This policy sets forth actions that the University can take in response to allegations that an academic faculty member has engaged in Faculty Misconduct and describes the accompanying procedures. It also defines the composition, charge, and procedures for the Committee on Faculty Academic Conduct (CFAC). This policy does not apply to employees classified as administrative or professional general faculty. (Disciplinary policies for those faculty members are provided in [HRM-003: Employment of Administrative or Professional General Faculty Members](#) and [HRM-043: Addressing Grievances for Administrative and Professional Non-Tenure-Track Faculty](#).)

Definition of Terms

Faculty Misconduct

Description

Faculty misconduct is defined as any professional misconduct committed by an academic faculty member as described in the following categories: Research Misconduct, Academic Misconduct, Misconduct in Patient Care, Nonacademic Misconduct, and Retaliation. Examples are given in [Guidance on Addressing Faculty Conduct Issues and Administering Disciplinary Action](#). A particular instance of misconduct could fall within more than one of these categories.

1. **Research Misconduct** is the fabrication, falsification, or plagiarism, in proposing, performing, or reviewing research or in reporting research results. It does not include honest error or honest differences in interpretations or judgments of data. (from [RES-004: Research Misconduct](#))
2. **Academic Misconduct** is a violation of professional ethics by a faculty member that falls into these categories: fabrication, falsification, or plagiarism related to academic functions that does not fall within the category of Research Misconduct; compromising the integrity of a faculty governance process; abuse of power for academic benefit; and abuses and violations of principles of academic freedom (the faculty member's and others') as defined in the Faculty Handbook. Research Misconduct as defined by [RES-004: Research Misconduct](#) is excluded from this definition.
3. **Misconduct in Patient Care** encompasses a range of unethical and unprofessional behaviors by clinical faculty that violate standards of patient care, may jeopardize patient safety, and/or can potentially lead to an action on clinical privileges.
4. **Nonacademic Misconduct** is a violation of professional conduct by a faculty member, including a violation of the [University Code of Ethics for Faculty and Staff](#), University policies, or federal and state laws, that does not fall solely within the definitions of Academic Misconduct, Research Misconduct, or Misconduct in Patient Care. This includes conduct normally investigated by the Office for Equal Opportunity and Civil Rights (including the Title IX Office), Human Resources/Employee Relations, University Police, or Audit & Compliance.
5. **Retaliation** is materially adverse action taken by a faculty member against an individual because they: (a) submitted a good faith report of allegations of Faculty Misconduct; (b) assisted or participated in the review or assessment of such allegations; and/or (c) assisted or participated in an investigation of such allegations. Materially adverse action is action that is likely to discourage a reasonable person from engaging in the activities described in elements (a), (b), and/or (c).

Investigation

Description

The formal development of a factual record and the examination and evaluation of that record to determine if misconduct has occurred, and, if so, to determine the responsible person and the seriousness of the misconduct.

Suspension

Description An employee's absence from work without pay that is imposed as part of a disciplinary action.

Policy Statement

Allegations of Faculty Misconduct may lead to no action, non-disciplinary action, or disciplinary action. Misconduct and adequate causes for disciplinary action include a breach of professional ethics, retaliation or a credible threat of retaliation, relevant violations of federal or State law or University policy (including Health System policies), and neglect of duty.

Faculty members accused of misconduct have the right to an investigation, and the University has an obligation to investigate alleged misconduct prior to any disciplinary action being imposed. Unless the faculty member has admitted to wrongdoing or has opted out (if allowed by the relevant policy), an investigation conducted by the appropriate University entity in accordance with the nature of the alleged misconduct will inform the administrative response. Entities charged with conducting investigations of alleged misconduct include but are not limited to: the Committee on Faculty Academic Conduct (CFAC), the Office for Equal Opportunity and Civil Rights ("EOCR"), including the Title IX Office ("Title IX"), Human Resources/Employee Relations, the Credentials Committee of the Medical Center Clinical Staff (Credentials Committee), the Office of the Vice President for Research, University Police, and Audit & Compliance (including UVA Health Corporate Compliance and Privacy Office); these are referred to in this policy as investigative entities. The policies that govern the authority of those units are listed under Related Policies below. When required by law or other external regulation, the policies and procedures of other entities charged with investigating employee misconduct supersede this policy. Allegations of misconduct will be treated as confirmed when verified through an investigation or admission by the faculty member.

The Committee on Faculty Academic Conduct (CFAC) is a University faculty committee charged by the provost to conduct peer assessments and investigations as a vital part of faculty governance, thus advancing the University community's subscription to a shared Code of Ethics while ensuring faculty rights are preserved in accordance with academic standards and policy. The CFAC serves two purposes: (a) it assesses and, if warranted, investigates reports of faculty Academic Misconduct to determine if there is adequate cause for disciplinary action and makes recommendations to the relevant dean, and (b) it reviews investigations of Nonacademic Misconduct performed by other entities before major sanctions are imposed. Unless prohibited by the policies of the investigative entity, any alleged Nonacademic Misconduct (or any other misconduct not investigated by an academic faculty committee) that is serious enough to potentially lead to a suspension or termination must include a review and recommendation by the CFAC. The dean must give substantial weight to the CFAC's opinion when recommending an appropriate disciplinary action. The CFAC comprises faculty members from all schools at the University. The CFAC also serves in an informal advisory role to the president and provost, as requested, providing counsel on matters related to faculty academic conduct. The CFAC does not evaluate faculty performance, although it may rely on disciplinary experts' assessments of performance in certain cases, for example, to assess a claim of neglect of duty.

A case is considered resolved when all investigations by relevant entities concerning the alleged misconduct have concluded and any disciplinary sanctions have been issued. Once resolved, a case may not be reopened unless material new evidence comes to light or a significant procedural error is discovered.

Whenever the provost or dean is mentioned in this policy, such reference includes their designees, such as department chairs or associate deans, or other appropriate persons with authority, only if so indicated. In cases where a faculty member has a joint appointment across multiple schools, any reference to their dean in this policy refers to the dean of their primary appointment unit in consultation with other relevant deans.

I. Non-Disciplinary Actions:

The supervisor, dean, or provost, or their designees, may respond to minor unacceptable conduct by a faculty member (even if not investigated) with non-disciplinary actions. These types of actions do not result in any material consequences beyond any written documentation resulting from these actions becoming a part of a faculty member's departmental or school personnel file. Non-disciplinary actions include verbal counseling and issuing a letter of expectation, with or without a Performance Improvement Plan (PIP). These actions are described in a guidance document found [here](#).

II. Disciplinary Actions

Disciplinary actions are imposed after the faculty member has acknowledged wrongdoing or an investigation has found adequate cause as described above. The level of disciplinary action taken and corresponding sanctions must align with the severity of misconduct.

A. Minor Sanctions:

Minor sanctions are imposed on the faculty member as a consequence of confirmed misconduct more serious than that addressed by a letter of expectation. They are also used for repeated incidents of minor misconduct that persist after a letter of expectation or performance improvement plan (PIP) has been issued. Minor sanctions are communicated through a letter of reprimand issued by the faculty member's dean (or designee). The letter of reprimand must describe the faculty member's misconduct and the relevant ethical or policy violations. It also must outline expected future behavior and the sanctions imposed, i.e., the material consequences that result from the infraction. Such consequences may include a temporary reassignment of duties; elimination from consideration for a salary increase; counseling, coaching, training, and/or monitoring of behavior; a delay in promotion consideration (not including an automatic extension of the tenure probationary period as described in PROV-017); a shortened contract upon renewal (requires provost approval); restrictions on certain faculty activities (e.g., student advising, working with students or trainees, submitting external grant proposals, serving on committees, representing the University in community service, etc.); or other sanctions not including a disciplinary suspension or termination. Letters of reprimand are part of the faculty member's personnel record.

A faculty member may appeal a minor sanction to the provost, following the appeal procedures described below.

A minor sanction may be grieved to the Faculty Senate Grievance Committee following its normal [procedures](#) after the faculty member has sought resolution through an appeal to the provost.

B. Major Sanctions:

Confirmed egregious misconduct may be addressed by one of two major sanctions: suspension or termination of employment. A dean may recommend a major sanction to the provost after a review and recommendation by a faculty committee, which may be the committee conducting the investigation (as typical in cases of Academic Misconduct, Research Misconduct, or Misconduct in

Patient Care). In cases where a faculty committee has not been part of the initial review, and where allowed by policy, the CFAC will review the case and provide a recommendation. Investigations that fall under the University's Sexual Misconduct Policy (Title IX) conclude with a disciplinary decision instead of a recommendation to an academic leader, and such cases do not permit faculty input into that decision.

i. Suspension of University Employment:

Suspension of a faculty member from University employment without pay is available as a sanction for misconduct. A letter of suspension must identify the period for the suspension and the requirements for reinstatement; procedures for reinstatement following suspension are outlined in the Procedures. Suspension of a faculty member for disciplinary reasons requires the approval of the provost (or designee). Note that disciplinary suspension is different from administrative leave, which is described in the Procedures below.

A faculty member may grieve a suspension to the Faculty Senate Grievance Committee, following its normal [procedures](#).

ii. Termination of University Employment:

Faculty employment at the University may be terminated or non-renewed for adequate cause. Disciplinary termination of a faculty member's employment before the end of the term of their academic appointment or after a faculty member has been granted tenure is rare and appropriate only in instances of egregious misconduct. Disciplinary termination of a faculty member requires the approval of the provost (or president if the provost is unavailable).

A faculty member may grieve a termination to the Faculty Senate Grievance Committee, following its normal [procedures](#).

Academic faculty appointments may be suspended or terminated for non-disciplinary reasons based on appointment type, including the nonrenewal of a term contract, resignation, retirement, elimination of an academic unit, inability to perform assigned duties (such as from long term disability, revocation of a work permit, or incarceration), lack of fitness-for-duty or a refusal to comply with a fitness-for-duty evaluation request, or for reasons of financial stringency following the procedures described in the [Guidelines for General Faculty Staffing Due to Financial Stringency](#) (Academic General Faculty only). This policy and the procedures below do not apply to these non-disciplinary reasons for suspending or terminating faculty employment.

Procedures

The University-sanctioned email system must be used for all written communication described in these procedures unless the faculty member is notified that another communication channel will be used. All meetings or interviews may be in person or through an online platform. The dean or designee is responsible for storing all written communications and records of disciplinary procedures in the faculty member's department or school personnel file.

The faculty member has the right to secure legal counsel at any time, at their own expense. Legal counsel or another support person in lieu of counsel may accompany the faculty member to any meetings undertaken pursuant to this policy with a review committee or dean or designee as allowed by policy; however, the attorney may not participate in the proceedings other than to advise the faculty member. The faculty member must inform the organizer of the meeting at least two business days prior if they plan to have legal counsel accompany them.

to the meeting.

I. Procedures for Disciplinary Review of Academic Faculty:

Individuals may report Faculty Misconduct to the entities responsible for investigating these reports through many channels. Reporting may be done through the [UVA Just Report It](#) system, Respect@virginia.edu form, the online [compliance helpline form](#), or by informing the faculty member's supervisor, department chair, dean, or provost. Supervisors and department chairs must notify the dean of conduct issues that may merit disciplinary action. The flowchart included in [Guidance on Addressing Faculty Conduct Issues and Administering Disciplinary Action](#) provides information on the paths leading to faculty disciplinary and non-disciplinary actions.

The following administrative procedures govern disciplinary actions for academic faculty when a review is initiated by a dean or the president or provost (or designees) for alleged misconduct. The president or provost normally only initiates a disciplinary process when the faculty member accused of misconduct reports directly to them, or when the dean has a conflict of interest in the case; when these procedures refer to a dean, it is to be understood as the president or provost in these special cases. In the event that the faculty member reports through a unit other than a school of the University, the director or other responsible officer of the unit will serve in the capacity of the dean for the purposes of this policy.

Deans must report all credible allegations of misconduct to the appropriate investigative entity(ies). Schools may not conduct investigations entirely on their own; participation from a University-level investigative entity is required in making the final determination regarding the faculty member's responsibility and recommended action, as consistent with the entity's policies. Deans may rely on school or University resources to gather the initial facts and may seek counsel from trusted advisors or a committee in deciding whether an allegation of misconduct is credible and whether the conduct is sufficiently egregious to warrant a formal assessment. Throughout such processes, the faculty member's confidentiality should be protected as much as possible. While schools may not develop their own disciplinary policies, they may establish procedures for how advisors or advisory committees operate.

Deans are responsible for understanding when alleged conduct requires mandatory reporting to an investigative entity with jurisdiction over that type of misconduct; when in doubt, deans (or designees) may submit a report through [UVA Just Report It](#) or the online [compliance helpline form](#), and it will be forwarded to the correct entity(ies) for review.

When someone other than the dean or their designee reports alleged misconduct to the responsible investigating entity, the entity must inform the dean (or designee) before a formal investigation is initiated, unless the dean (or designee) is implicated in the reported conduct and if consistent with the policies of the investigating entity. The investigation procedures will follow that entity's policies and procedures, many of which are linked below in the Related Policies section. The procedures in those policies supersede the procedures listed in this policy. In cases where a specific investigative entity has jurisdiction over the alleged misconduct, once the responsible entity concludes its investigation, this policy will govern the faculty disciplinary process as outlined in the procedures below, starting with step 4(b) or step 5.

The recipient of a report of alleged misconduct will acknowledge receipt of the report. To the extent possible, the administration will maintain the reporting individual's confidentiality and prevent retaliation against the reporting individual. While disclosing personnel actions related to another employee is not possible, the administration will share information on a need-to-know basis and notify the reporting individual when the case is resolved.

The dean generally will not consider allegations made by anonymous observers or based on hearsay from a non-affiliated person unless the information reported warrants further investigation. An allegation of misconduct will remain as confidential as possible throughout the review.

Faculty members are encouraged to report any experience of harassment, discrimination, or retaliation using the [UVA Just Report It](#) system and any experience of incivility, bullying, or disrespectful behavior to Respect@virginia.edu.

Faculty members facing misconduct allegations can seek clarification from the vice provost for faculty affairs (VPFA) about policies and procedures, receive confidential support from the University Ombuds, and use services provided by [UVA FEAP](#). Unless the dean has placed the faculty member on administrative leave or has limited their activities as described below, the faculty member is entitled to perform their work at the University, including any faculty governance activities (such as voting). Any academic process, such as annual review, reappointment, promotion, or tenure review, continues as planned; the dean and their designees must make every effort to avoid biasing these processes. If a faculty member is found not responsible for the alleged misconduct and has lost a significant amount of productivity as a result of the procedures, they are eligible to request an extension to their tenure probationary period according to policy [PROV-017: Employment of Tenure-line Faculty](#); a faculty member on a termed contract may request a contract extension.

The steps to be taken when disciplinary action is contemplated are as follows. Each step in these procedures is described in detail in the numbered paragraphs below.

1. If warranted, the faculty member is placed on administrative leave and/or their faculty activities are limited.
2. The faculty member is notified of the allegations and given an opportunity to respond.
3. The faculty member receives a written notice of assessment.
4. (a) An assessment and investigation are conducted. (b) In cases of Nonacademic Misconduct when major sanctions are considered, the CFAC also reviews the case.
5. For minor sanctions, the faculty member receives written notice of the dean's decision and is given the opportunity to appeal to the provost.
For major sanctions, the dean submits a recommendation to the provost and the provost makes a decision.
6. The faculty member has the opportunity to grieve a decision to the Faculty Senate, following its normal procedures.
7. The faculty member may be reinstated following a disciplinary suspension.

The Credentials Committee, assessing instances of possible Misconduct in Patient Care to determine if any changes in clinical privileges are warranted, will follow a similar list of steps as detailed in Articles VIII and IX of the [Bylaws of the Clinical Staff](#). Any resulting employment action imposed by the dean or their designee will follow the steps listed above.

Time intervals expected for each step are provided in the Appendix. Any concerned party may request additional time from others involved in these procedures when needed.

1. *Administrative leave and limits on faculty activities:*

After being made aware of alleged misconduct, the dean in consultation with the provost, or the provost, may determine that placing the faculty member on immediate paid administrative leave and/or limiting the faculty member's activities during the assessment/investigation is justified to safeguard the University community or University operations from harm or disruption. When the alleged conduct involves research, the Vice President for Research has the authority to limit

research privileges. When the alleged conduct involves patient care, the Credentials Committee, CEO of UVA Health, and Clinical Staff leadership have the authority to limit clinical privileges. When the faculty member is informed of an administrative leave and/or limitations on their activities, a reason must be provided, to the extent allowed by policy or law; this communication can be verbal or in writing and need not contain the level of detail required for the notification of allegations described in Step 2 below. Decisions about administrative leave and faculty activities may be reevaluated throughout the process as additional information becomes available.

2. *Notification of allegations and opportunity to respond:*

Before any assessment or investigation begins, the dean (or their designee) must provide the faculty member with a written summary of the specific allegations. This summary must clearly: (1) state the nature of the alleged misconduct and any supporting evidence not requiring confidentiality; (2) provide an invitation to meet and discuss the allegations with a reminder that the faculty member may bring counsel as described above; and (3) mention the faculty member's right to respond at the meeting and in writing. If the faculty member does not respond, the process may proceed without their input.

If the faculty member admits to having engaged in the alleged misconduct, either in the meeting or in writing, further assessment and investigation may not be required (skipping steps 3 and 4(a)), depending on the nature of the misconduct and applicable policies.

3. *Written notice of assessment:*

Unless the faculty member has admitted to engaging in the alleged misconduct, the dean (or their designee) must notify the faculty member of their decision to either dismiss the allegations or seek an assessment of the allegation of misconduct to determine if an investigation is warranted.

A written notice of assessment must precede the initiation of any review. It must also precede the imposition of any material consequences except for administrative leave and/or limitations on the faculty member's activities as described above, unless the faculty member has admitted responsibility for the alleged conduct. The notice also must inform the faculty member of their right to have the alleged conduct pre-assessed to determine whether it falls within the definition of Academic Misconduct, Research Misconduct, Misconduct in Patient Care, or Nonacademic Misconduct, as described below.

In any situation where the dean initially declines to move forward with an assessment, but additional information emerges or reports occur after that decision, the dean may commence a new process based on the totality of information that then exists.

4. *(a) Assessment and investigation:*

The dean (or designees) initiates the process by asking the appropriate entity(ies) to assess a case. Which entity(ies) conducts the assessment depends on the nature of the allegation and the policies that are implicated; more than one entity may need to assess the allegations if multiple policies are implicated. The Committee on Faculty Academic Conduct (CFAC) assesses allegations of Faculty Misconduct that the dean determines to be Academic Misconduct, following the Procedures Section II.c. The Research Integrity Office assesses those determined to be Research Misconduct. The Credentials Committee evaluates any allegation of Misconduct in Patient Care. All other types of misconduct fall within the definition of Nonacademic Misconduct, and the appropriate investigative

entity will assess them. Policies related to investigating entities are listed below in the Related Policies section. The dean (or designee) must inform the faculty member in writing which entity(ies) are assessing the allegation.

At times, a dean (or designee) may be uncertain whether an instance of alleged misconduct falls within the definition of Academic Misconduct, Research Misconduct, Misconduct in Patient Care, or Nonacademic Misconduct. In such cases, the dean (or designee) may submit relevant information and attachments (if applicable) through the [online compliance helpline form](#). Alternatively, the faculty member being accused of misconduct may request that their dean have the alleged conduct pre-assessed to determine if it may fall within the definition of Academic Misconduct, Research Misconduct, Misconduct in Patient Care, or Nonacademic Misconduct. A panel that includes the Associate Vice President for Talent Development, the Vice President for Research, the Chair of the CFAC, the Chair of the Credentials Committee, the VPFA, or designees, and others as needed (referred to hereafter as ‘the panel’) will pre-assess the case to determine which University entity(ies) are best suited to assess and potentially investigate the allegation, while maintaining all necessary confidentiality. If the panel determines, as a matter of law, regulation, or University policy, that a dedicated University entity must investigate an alleged case of Research Misconduct, Misconduct in Patient Care, or Nonacademic Misconduct, they will send the report to that entity for review and inform the dean and the faculty member. Otherwise, the panel will recommend to the dean which University entity(ies) are best suited to assess and potentially investigate the allegation. The panel will share this recommendation with the faculty member. The panel’s recommendation is advisory to the dean, who will consider it in determining whether to treat the alleged misconduct as Academic Misconduct, Research Misconduct, Misconduct in Patient Care, and/or Nonacademic Misconduct for purposes of assessment and investigation. Unless mandated by other policy, no assessment or investigation of the reported conduct will occur until the dean (or designee) requests it.

After receiving written notice of assessment, a faculty member may opt out of an assessment by HR Employee Relations or the CFAC, accepting responsibility for the alleged misconduct. Such a request to opt out of the assessment process must be made in writing, include a clear acknowledgment of responsibility for the alleged misconduct, and be submitted to the dean and provost. Faculty members who opt out of the assessment process and admit to misconduct may be subject to disciplinary action. Faculty members may not opt out of investigations by EOCR (including Title IX), Office of the Vice President for Research, University Police, Credentials Committee, Audit & Compliance, or other entities tasked with investigating specific policy violations, except as provided in those policies.

Within the timeframe consistent with their policies and procedures, the investigating entity will provide the individuals identified in their policies, including the dean or provost, with a report describing the process and outcome of its investigation, as well as any recommended actions.

In cases where a faculty member is the subject of a criminal investigation, the University need not wait for the faculty member to be charged before initiating a disciplinary investigation and administering formal disciplinary actions up to and including termination, based upon the facts or evidence of conduct that prompted the criminal investigation or process and any other information that may be available to the University.

(b) Review by faculty committee in instances of Nonacademic Misconduct and major sanctions contemplated:

When a dean contemplates suspending or terminating a faculty member for cause due to confirmed serious Nonacademic Misconduct, the faculty member is entitled to peer review by the CFAC after the conclusion of the investigation unless (a) a committee consisting primarily of academic faculty members conducted the investigation or (b) entitlement to peer review is inconsistent with the policies governing the investigating entity; currently, the only policy that excludes the possibility of peer review is the Sexual Misconduct Policy (Title IX). The review by the CFAC serves to provide the dean with a faculty committee's opinion on whether the confirmed misconduct warrants major disciplinary action; it is not a reinvestigation of the matter.

The dean will inform the faculty member that they are entitled to peer review. Unless the faculty member opts out of the peer review process, the dean will send the investigation report (redacted to preserve confidentiality as much as possible) to the CFAC for review. The CFAC will follow the steps described in Procedures Section II.d. The dean must give substantial weight to the CFAC report and recommendation when arriving at their recommendation to the provost regarding possible disciplinary action.

5. *Dean's or provost's decision:*

After receiving a report from the investigative entity(ies) and the review of the formal investigation from the CFAC, if required or otherwise sought, the dean, in consultation with the faculty member's supervisor (if that individual's conduct was not implicated in the investigation), may take certain disciplinary actions, initiate non-disciplinary corrective action, or decide that no action be taken. Any potential dean's action described in this section may instead be taken directly by the provost.

The dean may decide to impose minor sanctions by issuing a letter of reprimand to the faculty member. A faculty member may appeal their dean's decision to issue the reprimand, and/or the decision to impose specific material consequences related to the reprimand, to the provost. The appeal must explain why the faculty member considers the reprimand or the material consequences inappropriate or unjust. The provost may sustain the dean's decision, lessen or remove the material consequences associated with the reprimand, convert the letter of reprimand to a letter of expectation, or retract the letter. The provost also may initiate the process for more substantial disciplinary consequences (starting with step 4 above) when the provost deems it appropriate under the circumstances.

The dean must submit a recommendation for suspension or termination to the provost for final decision. The provost will review the report and recommendation of the investigative entity and the review from the CFAC, if applicable, and may confer with the dean and the chair of the investigative entity or CFAC before making a decision. The provost will communicate their decision in writing to the faculty member, the chair of the investigative entity(ies), the chair of the CFAC, and the dean. If the provost's decision does not concur with the faculty committee's recommendation, this communication must include compelling reasons stated in detail.

Deans and other designated administrators are authorized to accept employment resignations at any time without seeking further approval. However, accepting a resignation does not obligate them to cease or close an investigation into an allegation of misconduct.

6. *Grievance to the Faculty Senate Grievance Committee:*

The faculty member may appeal any disciplinary action in accordance with and subject to the

[grievance procedures](#) established by the Faculty Senate bylaws. The faculty member may seek appropriate relief in this appeal, including reinstatement and/or reasonable back pay, excluding attorneys' fees or an award of damages. Upon request of the chair of the Faculty Senate Grievance Committee, the provost will provide the Committee with a copy of the CFAC investigation report (redacted to maintain confidentiality to the extent possible) and any supporting materials that are not deemed confidential.

7. ***Reinstatement after suspension:***

For suspensions of less than 20 business days, the dean or their delegate will reinstate the faculty member as long as all requirements stipulated in the letter of suspension have been satisfied.

Before the end of the term of a suspension of 20 business days or longer, a faculty member must write to their dean and request reinstatement. This request must include evidence that the faculty member has satisfied all the requirements stipulated in the letter of suspension. It must also demonstrate that the faculty member has addressed the cause of the suspension and make a compelling case that the behavior leading to the suspension is not likely to recur. The dean may seek advice from the CFAC when deciding on the appropriate course of action. The dean must make a recommendation to the provost about reinstatement. The provost makes the final decision regarding whether to extend the suspension, reinstate the faculty member, or terminate their employment. The faculty member may appeal this decision to the Faculty Senate Grievance Committee as described above. If the faculty member does not write to the dean requesting reinstatement, the dean will terminate them at the end of the term of their suspension.

II. Procedures for the Committee on Faculty Academic Conduct (CFAC)

a. ***Committee composition and responsibilities:***

The CFAC comprises no fewer than 16 academic faculty members at the rank of associate professor or professor, with at least one from each school, and at least three from (respectively) the School of Medicine and the College and Graduate School of Arts and Sciences, spanning the broad disciplinary expertise of these larger schools. The members of the CFAC serve staggered three-year terms, with approximately one-third rotating on and off every year. Each member is selected by the school of their primary appointment according to that school's policies and processes. Faculty members who have been found responsible for misconduct are ineligible to serve on the CFAC for a period of 5 years. The provost will appoint one of the members of the CFAC as its chair. The VPFA and the vice president and chief human resource officer (VPHR) are ex-officio members of the CFAC. Depending on the nature of the alleged misconduct, the CFAC may seek appropriate counsel from subject matter experts, the research integrity officer, University Counsel, or others in conducting its reviews.

The members of the CFAC receive yearly training regarding conducting investigations, maintaining confidentiality, record-keeping requirements, legal obligations, other investigating entities, etc.

The CFAC must maintain copies of transcripts, recordings, interview notes, and other relevant evidence as part of the assessment and investigation process. The provost's office will retain all evidence collected in a secure investigation file, in accordance with the University's applicable record retention requirements. The chair of the CFAC, the VPFA, the VPHR, and the provost (and

designee(s)) will have access to this information. All information collected that is deemed confidential must be clearly marked.

b. *Reporting allegations of Academic Misconduct to the CFAC:*

Only a school dean, the president, or the provost (or designees) can refer an allegation of misconduct by the faculty to the CFAC for assessment. Others who observe what they believe to be faculty Academic Misconduct should report it to the faculty member's supervisor or dean or via the UVA Just Report It system.

c. *CFAC procedures for a report of Academic Misconduct:*

When a dean (or designee) requests that the CFAC consider a case of alleged Academic Misconduct, the CFAC will follow the procedures described in this section.

- i. *Initial assessment.* The chair of the CFAC will notify the VPFA and the VPHR and then identify three CFAC committee members who do not have a conflict of interest in the case to form an assessment team. If possible, at least one member of the assessment team should be from the faculty member's school, at least one member should be from another school, and, if possible, at least one member should be of the rank and employment category (tenure-line or academic general faculty) as the faculty member being reviewed. The Associate Vice President for Talent Development or their delegate will appoint one member of HR Employee Relations with extensive training in best investigation practices and knowledge of University policies to serve in an ex officio (non-voting) capacity as the assessment and investigation advisor for the team.

The assessment team members will be chosen based on their experience with activities related to the alleged conduct (e.g., undergraduate education, research, clinical care, community engagement, etc.). Depending on the nature of the conduct, the dean (or designee) may determine that assessing the complaint requires substantive or disciplinary knowledge (e.g., when the alleged conduct implicates discipline-specific professional ethics or pedagogical practices). In such cases, the dean may, at the time of referral, request that another faculty member be added to the assessment team, and provide the chair of CFAC with appropriate nominations of faculty members (who may or may not be members of CFAC) for their consideration.

The assessment team will conduct an assessment and determine whether the reported conduct could reasonably be considered Academic Misconduct. The assessment serves as an initial review of the reported misconduct.

At the assessment stage, the assessment team is not expected to have collected all pertinent evidence. To inform its assessment, the assessment team may choose to communicate with the person(s) who initially observed or reported the alleged misconduct.

If the assessment team concludes that the reported behavior does not meet the criteria of Academic Misconduct, they will inform the chair of the CFAC, who will notify the dean and faculty member in writing. The chair of the CFAC also may connect the dean with other investigative entities, as appropriate. The dean may choose to dismiss the case; they may request an investigation from another investigative entity; or, if the dean believes that the reported behavior does meet the criteria for Academic Misconduct (despite the CFAC's

assessment), they can request an investigation from the CFAC. The CFAC will not conduct an investigation into the alleged misconduct unless the dean requests it.

- ii. *Investigation.* If the assessment team concludes that the reported behavior may meet the criteria for Academic Misconduct, the CFAC will begin an investigation unless the dean wishes to withdraw the case. Otherwise, the chair of the CFAC will assemble an investigation team that includes the HR Employee Relations advisor as ex officio, the assessment team that conducted the initial assessment, and two additional members of the CFAC who do not have a conflict of interest in the case. The chair of the CFAC will select one of the members of the investigation team to serve as its chair. The role of the investigation team is to review the report of the alleged misconduct and collect and examine all pertinent evidence to determine whether academic misconduct occurred and, if so, its nature, scope, and severity.

Once the investigation team has been formed, the chair of the investigation team will notify the faculty member of the allegations that the team will investigate and the proposed investigation timeline. They also will offer the faculty member an opportunity to meet the VPFA to better understand the investigation process.

The timeline will allow for a thorough investigation of the report and consultation with all relevant stakeholders. Given the sensitive nature of any report, the investigation team will maintain the confidentiality of the individual who initially observed and reported the alleged misconduct and the faculty member, as well as any witnesses or others consulted during the investigation, to the extent possible. The amount of time required to conduct the investigation will depend on a number of factors, but the investigation team must make every effort to complete the investigation within 20 business days. In exceptional cases, an investigation may take longer in the interest of thoroughness or completeness. In such cases, the investigation team will notify the VPFA, the dean, and the faculty member of an extension of the investigation timeline.

The investigation serves as a formal review of the reported misconduct. The goal of an investigation is to determine whether Academic Misconduct occurred using a preponderance of evidence standard (misconduct will be established if it is more likely to have occurred than not).

The investigation team must consider all available relevant evidence. This includes interviews with all relevant stakeholders, including the faculty member and any witnesses; depending on the details of the case, relevant stakeholders also may include school leadership and content-area experts. The investigation team must offer to interview individuals requested by the dean (or their designee) or the faculty member, provided that such individuals are reasonably expected to have pertinent information. The investigation team will record all interviews and maintain confidentiality to the extent possible. If the investigation team finds that misconduct has occurred, it may recommend disciplinary actions as outlined above in Procedures Section I.

- iii. *Investigation report.* Following the investigation, the investigation team will draft a report of its findings and recommendations. The chair of the investigation team will submit the report

to the chair of the CFAC to forward to the dean. The report shall include:

- A description of the Academic Misconduct allegations;
- An overview of the investigation process and timeline;
- A summary of the information gathered;
- Recordings or transcripts of the meeting(s) with the faculty member and others interviewed;
- The investigation team's determination as to whether Academic Misconduct occurred, and if so, its recommendation for addressing the misconduct; and
- Any dissenting opinions from members of the investigation team.

The investigation team's complete report becomes part of the investigation file.

To protect confidential information to the extent possible, the chair of the investigation team will create a redacted version of the report and recommendation. The chair of the CFAC will provide this version to the faculty member, all members of the CFAC, and the dean to place in the employee's record. The unredacted copy will be available to those given access to the secure investigation file unless they have a conflict of interest. The chair of the Faculty Senate Grievance Committee may obtain the unredacted report from the provost or the chair of the CFAC when the information contained is required for a fair review.

The investigation team's report is purely advisory, and the decision-making authority remains with the provost or dean (depending on the contemplated disciplinary action).

d. *CFAC peer review prior to major sanctions:*

When a dean is contemplating suspension or termination of a faculty member for cause due to confirmed serious Nonacademic Misconduct, the faculty member is entitled to a review by the CFAC unless (a) a committee consisting primarily of academic faculty members conducted the investigation or (b) entitlement to peer review is inconsistent with the policies governing the investigating entity; currently, the only policy that excludes the possibility of peer review is the Sexual Misconduct Policy (Title IX). The dean must ask for such a review unless the faculty member opts out, as described above. A dean also may ask the CFAC to conduct a review when considering a lesser sanction, if desired. In either case, the CFAC will follow these procedures:

- i. *Peer review.* The dean (or designee) will provide the CFAC with the investigation report, redacted to preserve confidentiality if possible. The chair of the CFAC will inform the VPHR and VPFA and appoint a peer review team consisting of three committee members who do not have a conflict of interest in the case. If possible, at least one member of the peer review team should be from the faculty member's school, and at least one member should be from another school. The chair of the CFAC will identify one member of the peer review team as its chair. The purpose of the peer review team is to review the report from the investigating entities and provide an opinion about the process and conclusions from a faculty perspective.

The peer review team will review the allegations and evidence, including the factual justification for possible disciplinary action given in the investigation report. The peer review team will provide the faculty member with an opportunity to meet with the team to discuss the allegations and, when relevant, to offer their explanation as to why the disciplinary action contemplated is unjustified. The peer review team will record this meeting.

The provost (or designee) may be present to observe interviews with the faculty member. With the permission of the chair of the peer review team, the provost or designee may ask questions.

- ii. *Peer review report.* At the conclusion of its review, the chair of the peer review team will prepare a written report and recommendation and send it to the chair of the CFAC to forward to the dean and the faculty member. In this report, the peer review team will advise the dean as to whether, in its opinion, the allegations appear reasonably justified and constitute grounds for major or minor disciplinary action. Any dissenting opinions will be included in the peer review team report. Any recordings of interviews will also be made available to the dean.

The peer review team's report is purely advisory, and the decision-making authority remains with the dean and provost.

Questions or comments on this policy or its accompanying procedures may be directed to the vice provost for faculty affairs at vpfa@virginia.edu.

Appendix: Procedure Timing Expectations

For each step in the procedures described above, there may be requirements regarding the speed with which a party must act and/or obligations to allow other parties a certain period of time to act. These are described below for the disciplinary and CFAC procedures, numbered as in the sections in the Procedures. Note that not all sections require action within a specified timeframe. All ‘days’ refer to business days. Any party may request additional time from other parties (or designees) when needed.

A. Timing for Disciplinary Review of Academic Faculty

1. Administrative leave and limits on faculty activities	Within two days of a University official’s notification to the faculty member of administrative leave or limits to their activities, the dean or designee must inform the faculty member of the reasons for this action.
2. Notification of allegations and opportunity to respond	The dean must offer the faculty member an opportunity to meet within the 15 days following the notification and allow the faculty member at least 20 days from the date of notification to provide a written response. Once the faculty member has indicated all relevant materials have been provided, or the 20 days have elapsed, the dean may proceed to the next step.
3. Written notice of assessment or case dismissal	The dean must notify the faculty member whether they will have the conduct assessed or not within 10 days. The faculty member then has 5 days to request that a panel categorize the alleged misconduct into the appropriate type (Academic, Research, Patient Care, or Nonacademic). After sending the notice of assessment, the dean must give the faculty member 5 days to admit responsibility for the conduct before taking any action.

4. Assessment, review, and investigation	If asked, the panel charged with identifying the category of the alleged misconduct is expected to provide an opinion within 10 days; in that case, the dean has 5 days from the date of the panel's report to request an assessment by the appropriate University entity(ies) and to inform the faculty member in writing which entity(ies) are assessing the allegation. If a panel review is not necessary, the dean should request the assessment within 5 days from the date of the written notice to the faculty member. The assessment and investigation will proceed according to the timeline of the entity(ies) conducting them. Once the dean has received the assessment or investigation report, the dean must inform the faculty member of the outcome within 5 days, unless the investigating entity has already informed the faculty member.
4. Peer review by the CFAC	In cases where the faculty member is entitled to a CFAC review, the dean must offer a review by the CFAC to the faculty member within 5 days of being informed of the results of the investigation. The faculty member has 5 days from the time they receive the offer from the dean to opt out of a review by the CFAC. The CFAC will conduct its review according to the timeline described in Appendix Section C below.
5. For minor sanctions, written notice of dean's decision, and opportunity to appeal to the provost	A letter of reprimand or decision not to pursue a disciplinary action must be sent to the faculty member within 10 days of receiving the investigation report or CFAC peer review report. The faculty member may appeal the dean's decision to the provost within 10 days of receiving a letter of reprimand. The provost must inform the faculty member of their decision within 10 days of receiving the appeal.
5. For major sanctions, dean's recommendation to the provost and provost's decision	Within 10 days of receipt of a report from the investigative entity(ies) or CFAC, the dean may submit a recommendation for suspension or termination to the provost and inform the faculty member of such action. The provost has 10 days to inform the faculty member and dean of their decision.
6. Opportunity to grieve to the Faculty Senate	A faculty member may grieve an administrative decision to the Faculty Senate according to its timeline.

7. Reinstatement after suspension	If a faculty member is suspended and requests reinstatement, the dean must make a recommendation to the provost about reinstatement within 10 days of receiving the request. The provost will inform the faculty member and dean of their decision within 10 days.
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B. Timing for CFAC Procedures for a report of Academic Misconduct

See Procedures Section II.c for the actions associated with each step's timing described below.

Step i.	The chair of the CFAC will notify the VPFA and the VPHR and assemble the assessment team within 5 days of receiving a request from a dean. Within 10 days of the creation of the assessment team, the chair of the assessment team will inform the chair of the CFAC if the misconduct allegations merit investigation. The chair of the CFAC has 5 days to inform the dean and faculty member.
Step ii.	The dean has 5 days to withdraw a case from investigation. Otherwise, and within 10 days from receiving notice from the chair of the assessment team that an investigation is warranted, the chair of the CFAC will form the investigation team. The investigation is expected to take no longer than 20 days.
Step iii.	The chair of the CFAC has 5 days from receiving a report from the investigation team to send the investigation report to the dean. They have an additional 5 days to send the redacted report to the dean and faculty member.

C. Timing for CFAC Procedures for peer review prior to major sanctions

Step i.	The chair of the CFAC will notify the VPFA and the VPHR and assemble the peer review team within 5 days of receiving a request from a dean. The peer review team has 15 days to conduct its review.
Step ii.	The chair of the CFAC has 5 days to forward the report from the review team to the dean and the faculty member.

Related Information

[HRM-003: Employment of Administrative or Professional General Faculty Members](#)

[HRM-043: Addressing Grievances for Administrative and Professional Non-Tenure-Track Faculty](#)

[HRM-034: Background Checks, Screenings, and Ongoing Responsibility for Employees to Disclose Criminal Convictions](#)

[HRM-037: Evaluating Employee Fitness for Duty](#)

[Guidelines for General Faculty Staffing Due to Financial Stringency](#)

[STU-001: Use of Alcoholic Beverages and Prohibition of Other Drugs](#)

[GOV-002: Reporting and Investigation of Fraudulent Transactions](#)

[GOV-003: University Institutional Compliance Program for Adherence to Federal, State, and Other Regulations](#)

[FIN-054: Employee Obligation to Report Potential Conflicts of Interest](#)

[RES-004: Research Misconduct](#)

[IRM-002: Acceptable Use of the University's Information Technology Resources](#)

[IRM-003: Data Protection of University Information](#)

[HRM-009: Addressing Discrimination, Harassment, and Retaliation](#)

[HRM-041: Addressing Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence and Reporting Disclosures](#)

[Respect@UVA](#)

[Bylaws of the Clinical Staff](#)

Major Category [Executive Vice President & Provost Policies](#)

Next Scheduled Review Saturday, December 9, 2028

Revision History

This is the first version of this policy.

Approved By Executive Vice President and Provost

Approved Date Tuesday, December 9, 2025