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Termination of Faculty Appointment for Cause

Termination of an appointment with continuous tenure, or of a non-tenured appointment before the end of the specified term, may be effected by the College upon due notice but only for adequate cause. The burden of proof that adequate cause exists rests with the College and shall be satisfied only by clear and convincing evidence in the record considered as a whole.

Should the cause alleged be (a) *bona fide* financial exigency, (b) discontinuation of a program or department of instruction, or (c) mental or physical incapacity on the part of the appointee, the procedures followed will be those stipulated in Regulation 4 of the "Recommended Institutional Regulations on Academic Freedom and Tenure" formulated by the American Association of University Professors.¹ The Faculty Steering Committee will discharge the tasks allotted to the faculty committees mentioned in Regulation 4 items (c) and (d).

¹ See the AAUP's *Policy Documents and Reports, 2006 ed., pp. 24-25.*

Should the cause alleged be that of serious shortcomings on the part of a faculty member in the discharge of his or her professional duties (termination thus constituting dismissal), the dismissal must be preceded by the following procedures: (1) discussions between the faculty member and the President of the College with the aim of arriving at a mutual settlement; (2) an informal inquiry by the Committee on Appointments and Promotions, which may, failing to effect an adjustment, determine whether in its opinion formal dismissal proceedings should be undertaken, without its opinion being binding upon the President; (3) a statement of charges, framed with reasonable particularity by the President.

A dismissal (as defined above) will be preceded by a statement of reasons, and the faculty member concerned will have the right to be heard initially by a hearing committee that will consist of three members drawn from the Faculty Steering Committee and, if fewer than three members of that Committee are eligible, from the Faculty Review Panel. Any member of the Faculty Steering Committee or the Faculty Review Panel potentially affected by bias or interest may be deemed ineligible at the member's own initiative. Either of the two parties to the case may also request that a proposed member of the hearing committee be deemed ineligible because of potential bias or interest.² In addition, each party may without stated cause exclude a maximum of one person otherwise eligible for the hearing committee. Should these or other constraints make it impossible to convene a full hearing committee, the Faculty Steering Committee may draw hearing committee members from previous Steering Committees or Faculty Review Panels.

² In cases involving discrimination, persons who served on the formal Grievance Committee are ineligible for the Hearing Committee.

The formal dismissal proceedings will follow a detailed set of guidelines, which are described in [Dismissal or Sanction Hearing Guidelines](#) and are derived from Regulation 5.c.(1)-(16) and Regulation 6 of the "Recommended Institutional Regulations on Academic Freedom and Tenure" of the American Association of University Professors (*AAUP Policy*)

Documents and Reports, 2006 ed., pp. 26-27).

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