

Faculty & Librarian Resolution in Support of Due Process in Matters of Professional Discipline

WE AGREE AND RESOLVE THAT:

- I. We do not condone inappropriate behavior by any UMDNJ employee – faculty, staff, or administrators. We support the right of any UMDNJ employee to file a complaint and for it to be investigated and addressed promptly.
- II. The University has implemented an investigatory/disciplinary process that does not comport with Academic Due Process Standards. Therefore, consistent with the principles of academic shared governance, the faculty and librarians at UMDNJ call for our immediate and direct participation in the development and implementation of an investigatory/disciplinary procedure in matters of professional discipline.
- III. For fair, balanced, and transparent investigations of complaints and discipline, academic due process, at a minimum, requires written notice of the specifics of the allegations with supporting documentation to the accused. Furthermore, the accused must:
 - a. be considered innocent unless proven otherwise;
 - b. have appropriate time for a full and fair opportunity to respond to the allegations;
 - c. be made aware of scheduled stages of investigation and appeal; and
 - d. be provided a written report at the conclusion of investigation setting forth the details of the findings.
- IV. A conduct review board must be formed, consisting of administrators, and representatives of the faculty and librarians to determine innocence or guilt of the accused and recommend appropriate disciplinary action where necessary.
- V. As an indication of the University's good faith, the effort to develop, codify, and implement investigatory/disciplinary procedures with the immediate and direct participation of the faculty and librarians must begin with a statement from the President and Office of Compliance, that the University is committed to developing, codifying, and implementing these new policies as soon as possible, but no later than June 1, 2009, in conjunction with the faculty and librarians.

This resolution is supported by the leadership of the organizations listed below and by a unanimous vote of the faculty and librarians on March 10, 2009.

Margaret Dreker, MLS, Librarians

D. Anthony Forrester, PhD, RN, School of Nursing Faculty Organization

Suriender Kumar, PhD, President, American Association of University Professors at UMDNJ

Ellen Townes-Anderson, PhD, President, New Jersey Medical School Faculty Organization

Stephen Wechsler, DMD, President, New Jersey Dental School Academic Assembly