

Modification of FH Section 7.2.5.1.4 Interim Action

Rationale

Nearly all references to timing of actions in the faculty handbook are based on “days” which is defined working days, that is, the days university offices are open for business. There are a few times where the handbook uses “calendar days” rather than “days” regarding the timeline for actions. Even though these instances are clearly documented and defined in the handbook, they are still confusing because of there are so rare. The tendency is to automatically think of working days. These edits are to change one of these instances from calendar days to days to be more consistent with other parts of Chapter 7.

7.2.5.1.4 Interim Action

There may be instances in which the SVPP needs to take interim action pending investigation of the case or prior to the filing of a formal complaint. The SVPP may take interim action after consulting the president of the Faculty Senate, if any of the following conditions exist:

- an immediate physical danger to persons or property
- a reasonable indication of serious criminal violation
- an immediate health hazard
- an immediate need to protect equipment or funds, including federal funds or federal financial assistance
- an immediate need to protect the safety or interests of the person(s) making the allegations, of witnesses, or of the subject(s) of the allegations or their collaborators and associates
- a need to preserve evidence or to prevent improper influence of witness testimony
- a need to protect the working or educational environment of affected co-workers or students
- a need to protect against liability of the university or its employees

Interim action taken must be appropriate to the interests protected, and reasonably limited so as not to have an undue damaging effect on the respondent. The interim action should not be considered in and of itself a sanction. Interim action may include:

- restrictions on contact with persons involved in the complaint
- limitation on access to certain areas of the campus
- reassignment of duties
- partial or total administrative leave with pay
- directives to preserve or grant access to evidence or records related to the allegations
- direction on conduct of activities
- restrictions on university-related travel

In cases of emergency or the need to preserve evidence or records, the SVPP shall make a good faith effort to implement interim action through discussion with the complainant and, if appropriate, the referring party and the respondent prior to taking any interim action. If an agreement with the respondent is not reached, the SVPP may still impose interim actions.

The SVPP will inform the chair and college dean of the respondent faculty member of any interim action that is being taken. The SVPP will assist the chair and the dean in ensuring that the interim action will have as little disruption of the teaching, research, or outreach activities of the department as possible. The chair and/or dean will not limit a faculty member's electronic access to university computer systems or email as part of interim action without the express approval of the SVPP.

In cases where the SVPP has taken interim action prior to the filing of a formal complaint, the president of the Faculty Senate will be notified. In these cases, the formal complaint must be filed with the appropriate administrative officer within 10 ~~calendar~~ days of the effective date of the interim action. In the case of a complaint under investigation by the Office of Equal Opportunity (OEO), the formal faculty conduct complaint must be filed within 10 ~~calendar~~ days after the conclusion of the OEO investigation. ~~If the 10th calendar day falls on a Saturday or Sunday, the deadline must extend to the next calendar day that is not a weekend or university holiday.~~

If no formal complaint is filed within the appropriate period, the SVPP shall remove the interim action.

If a Faculty Review Board has not been appointed, the faculty member against whom interim action has been taken may request a review by the SVPP. As indicated in the following section, the Faculty Review Board will review all interim action.

When the faculty member has been charged with abandonment of position ([Section 7.2.2.6.2](#)) and has not presented themselves as ready to perform duties, the Faculty Review Board may recommend to the SVPP the suspension of salary for the duration of the process.

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

Amended and approved by the Faculty Senate on 4/3/2018; the Senior Vice President and Provost on 4/5/2018; and the ISU President on 4/8/2018.