

BHE Proposal January 2025

Article IX-TENURE

E. Removal of a Tenured Member of the Bargaining Unit

1. A tenured member of the bargaining unit, without regard to the means by which he/she attained tenure, shall not be removed from his/her position except upon a finding by the Board that just cause exists, which finding shall be made in accordance with the provisions of this Article and shall not be arbitrary or capricious. Just cause shall be deemed to be the following:

- a. substantial and manifest neglect of professional duty;
- b. demonstrated incompetence in the performance of duties assigned pursuant to the provisions of this Agreement;
- c. dishonesty in research;
- d. conviction of a felony;
- e. violation of the University's Equal Opportunity, Nondiscrimination and Title IX Plan (or the most recent version thereof) or
- d. ~~—~~ f. misrepresentation of academic, professional or other relevant credentials.
- e. ~~misrepresentation of academic credentials.~~

Activities protected by the principles of academic freedom incorporated in Article V of this Agreement shall not constitute cause for removal.