

CHAPTER III

FACULTY AND STAFF

SECTION XV. TERMINATION

- A. Tenure Track Faculty. An appointment carries no assurance of reappointment, promotion, or tenure. Reappointments are made solely at the discretion of the institution with the approval of the Board. The non-reappointment of a faculty member does not necessarily reflect on the faculty member's work record or behavior. The determination to reappoint, or not to reappoint, should be based upon a review of the specific conditions relating to the position. Notice that a probationary appointment is not to be renewed shall be given to the faculty member in advance of the expiration of the appointment as follows:
1. Not later than March 1 of the first academic year of service if the appointment expires at the end of that year; or if a one-year appointment terminates during an academic year, at least three (3) months in advance of its termination. In the specific case of program discontinuance, the notice requirement shall be at least three (3) months in advance of termination.
 2. Not later than December 15 of the second academic year of service if the appointment expires at the end of that academic year, or at least six (6) months in advance of its termination. However, in the specific case of program discontinuance, the notice requirement shall be at least three (3) months in advance of termination.
 3. At least 12 months before the expiration of an appointment after two or more years of uninterrupted service at the institution. However, in the specific case of program discontinuance, the notice requirement shall be at least three (3) months in advance of termination.
- B. Instructors and Non Tenure Track Faculty. Lecturers and other special appointees are temporarily employed with appointment letters. Their appointments expire at the end of the term. However, in the specific case of program discontinuance, an instructor or other non tenure track faculty may be terminated upon one (1) month's notice.
- C. Cause for Terminating Tenured Faculty. (1) Cause for discharge, termination of contract, or demotion in rank of tenured faculty shall consist of conduct seriously prejudicial to the college or university system such as infraction of law or commonly

accepted standards of morality, failure to follow proper orders, violation of institutional or Board rules and regulations, neglect of duty, incompetence, or other conditions that impair discharge of duties and the efficiency of the institution. The foregoing enumeration of cause shall not be deemed exclusive. However, action to discharge, terminate, or demote shall not be arbitrary or capricious, nor shall it infringe upon academic freedom.

(2) Financial Exigency constitutes cause, as does program discontinuance.

- D. Academic Dismissal Policy. Each institution shall have a written policy for due process concerning academic dismissal for tenured faculty. This policy shall provide for hearings before a committee that includes faculty members. Its findings and recommendations shall be forwarded to the chief executive officer of the university who shall make a final determination.
- E. Petition for Review. Except in cases where termination occurs pursuant to financial exigency or program discontinuance, the member of the academic staff who has exhausted due process procedures at the institutional level may petition the Board within 30 days when the institution is in session for a review and no official action shall be taken by the institution until a final determination is made by the Board.

(Revised 2/25/2011)