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Policy Information

Last Revised Date:

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Policy Number:

UHAP 3.4

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Policy

This section applies to resignations, suspensions, dismissals, nonrenewals, and releases, including both voluntary releases and those arising from program changes and financial emergencies. Further information on dismissals and releases due to budgetary and program changes is found in ABOR-PM 6-201(J) and (K).

3.4.01 Resignations

Faculty members who intend to resign will notify their immediate administrative head in writing of their intention as early as possible.

3.4.02 Suspensions or Dismissals

Suspension or dismissal will not occur until the faculty member has been given an opportunity for any applicable hearing under ABOR-PM 6-201. Dismissal refers to termination for just cause of (1) a tenured faculty member or (2) a tenure-eligible or career-track, visiting, or adjunct faculty member prior to the expiration of an appointment.

The dismissal of tenured faculty members is governed by ABOR-PM 6-201(J)(1) and ABOR-PM

6-201(L)(3).

The dismissal of nontenured faculty members is governed by ABOR-PM 6-201(J)(2) and ABOR-PM 6-201(L)(3).

3.4.03 Nonrenewals of Career-Track, Adjunct, and Visiting Faculty Appointments

a. Decisions to Nonrenew

The immediate administrative head will make decisions on nonrenewal, termination, or reduction in salary and/or FTE of career-track faculty members.

A career-track faculty member whose appointment is not renewed is not entitled to a statement of the reasons for that action. Decisions to nonrenew need not be construed as due to failure or poor performance on the faculty member's part. Nonrenewals may be due to program changes or budgetary needs that are unrelated to the individual faculty member's performance. A department or program may need a different area of specialization or new emphases, or the unit may not be able to continue to fund a position.

"Adjunct" or "Visiting" appointments, and appointments that are for a period of six months or less, are not expected to be renewed. Therefore, these faculty members do not receive formal notice of nonrenewal.

1. State- and Nonstate-Funded Appointments

a. Fully State-Funded Appointments

If a career-track faculty member's Notice of Appointment or Reappointment states that the appointment is funded fully by state sources, the faculty member will be provided with at least 90 days' notice of nonrenewal or reduction in salary and/or FTE, prior to the renewal date. If the University fails to provide at least 90 days' notice, the faculty member's appointment will be extended for a period of at least 90 days following the date on which the University provides such notice.

b. Partially or Fully Nonstate-Funded Appointments

If a career-track faculty member's Notice of Appointment or Reappointment states that the appointment is funded fully or partially by nonstate sources and any of those nonstate sources is no longer available, the nonstate funded portion of the appointment may be reduced or terminated during the appointment to the extent such nonstate funds become unavailable; however, such faculty members will be provided with at least 30 days' notice prior to termination or salary and/or FTE reduction. For all other reasons and for any portion of the appointment funded by state sources, the faculty member will receive the same notice as state funded appointments.

2. Multiple-Year Appointments

All career-track faculty members who hold a multiple-year appointment will be provided the same amount of notice of nonrenewal as described for state-funded and nonstate-funded appointments in Section 3.4.03.A.1(a) and (b). Faculty will be reviewed for renewal as set forth in Section 3.2, but notice of nonrenewal will be given as set forth above depending on their source of funding.

b. Appeals

Career-track faculty members may appeal a decision to nonrenew their appointments by submitting a written request to the dean, or if the dean made the decision to nonrenew, to the Provost within 15 days of receiving the notification of nonrenewal. The subsequent decision by the dean or Provost will not be subject to further administrative review. Decisions to reduce a career-track faculty member's salary and/or FTE or to terminate an appointment because funding is not available are not subject to appeal. These appeal provisions do not apply to "Adjunct" or "Visiting" appointments or to appointments for a period of six months or less.

3.4.04 Nonrenewals of Tenure-Eligible Faculty Appointments

a. Decisions to Nonrenew and Notification

As with promotion or tenure reviews, tenure-eligible faculty members will be informed in writing of recommendations regarding nonrenewal when they are transmitted by the administrative head or dean to the next administrative level. Decisions regarding nonrenewal of tenure-eligible faculty follow the process in Promotion and Tenure, Section 3.3.02, including the levels of review as described in 3.3.02.C. If the Provost decides to nonrenew a tenure-eligible faculty member's appointment, a terminal contract will be offered for the next appointment period if such faculty member has been employed as a tenure-eligible faculty member for at least two years.

Upon request, a tenure-eligible faculty member is entitled to a statement of the reasons for the President's decision to nonrenew the faculty member's appointment. However, the decision not to renew need not be construed as due to failure or poor performance on the faculty member's part. Considerations such as the need for a different area of specialization or for new emphases; the lack of a continuing position; the need to shift a position or resources to another department or unit; or the opportunity for an alternative program in teaching, research, or service may dictate that the individual not be renewed.

b. Appeals

In cases where the Provost has decided not to renew a tenure-eligible faculty member, the faculty member may appeal the nonrenewal to the President within 30 days after the date of the Provost's decision. Such appeals will follow the procedures described in Promotion and Tenure, Section 3.3.02.E.

3.4.05 Release of Faculty Due to Reorganization or Financial Emergency

The provisions of ABOR-PM 6-201(K) govern any determination that is made that reorganization or financial emergency requires the release of a tenured faculty member or the release of a tenure-eligible or a career-track, visiting, or adjunct faculty member prior to the end of an appointment period.

<https://public.azregents.edu/Policy%20Manual/6-201-Conditions%20of%20Faculty%20Service.pdf>
[2]

3.4.06 Voluntary Release of Right to Continued Employment

The provisions of ABOR-PM 6-213 govern the process and circumstances under which the University President may offer severance pay to a tenured faculty member in exchange for the voluntary release of a right to continued employment.

<https://public.azregents.edu/Policy%20Manual/6-213-Voluntary%20Release%20of%20Right%20to%20Continued%20Employment.pdf> [3]

Related Information*

[ABOR Policy 6-201-Conditions of Faculty Service](#) [2]

[ABOR Policy 6-213-Voluntary Release of Right to Continued Employment](#) [3]

Revision History*

Revisions for change from "nontenure eligible" to "career-track" made July 2017.

Revisions approved August 23, 2016

All sections revised July 2014

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<http://tobaccofree.arizona.edu/employmenthuman-resources/suspensions-and-terminations-faculty-appointments>

Links

[1] <mailto:facultyaffairs@email.arizona.edu>

[2]

<https://public.azregents.edu/Policy%20Manual/6-201-Conditions%20of%20Faculty%20Service.pdf>

[3]

<https://public.azregents.edu/Policy%20Manual/6-213-Voluntary%20Release%20of%20Right%20to%20Continued%20Employment.pdf>