

October 2011

## 5.331 Non-renewal, Termination or Suspension of Faculty Contracts

Follow this and additional works at: [http://aura.antioch.edu/policies\\_500\\_3x](http://aura.antioch.edu/policies_500_3x)

---

### Recommended Citation

"5.331 Non-renewal, Termination or Suspension of Faculty Contracts" (2011). *5.300 Faculty Employment at the University*. 10.  
[http://aura.antioch.edu/policies\\_500\\_3x/10](http://aura.antioch.edu/policies_500_3x/10)

This Article is brought to you for free and open access by the 5.000 Academic Policies at AURA - Antioch University Repository and Archive. It has been accepted for inclusion in 5.300 Faculty Employment at the University by an authorized administrator of AURA - Antioch University Repository and Archive. For more information, please contact [dpenrose@antioch.edu](mailto:dpenrose@antioch.edu), [wmcgrath@antioch.edu](mailto:wmcgrath@antioch.edu).



Type of Policy <input checked="" type="checkbox"/> <b>University</b> <input type="checkbox"/> <i>Campus</i> <input type="checkbox"/> <i>Department/Unit</i> <input type="checkbox"/> <b>Interim</b>		<b>Non-renewal, Termination or Suspension of Faculty Contracts</b>  <b>Policy 5.331</b>	
<b>Academic Policies</b>		Effective date: June 1, 2011	
<b>Policy History:</b>	<b>Approved by:</b>	<b>Resolution #</b>	<b>Date</b>
Approved	Board of Trustees	10.28.08:9	October 25, 2008
Revised	Chancellor	N/A	June 1, 2011
Revised (Non-substantive)	Office of University Counsel	N/A	May 19, 2017
<b>Responsible Office</b>	<b>Responsible Administrator:</b>	<b>Contact information</b>	<b>Applies to:</b>
Office of Vice Chancellor of Academic Affairs	Vice Chancellor of Academic Affairs	937-769-1890	All Faculty

## I. Introduction and Purpose

The purpose of the policy is to provide a clear process for the non-renewal or non-reappointment of faculty beyond their contract term, as well as the suspension or termination of faculty for cause during their contract term.

## II. Non-renewal

A. Upon action by the campus Provost, the Human Resource Director on each campus shall notify faculty members of nonrenewal or non-reappointment of their contracts beyond the current contract term. Such notice shall be given within the following timeframes:

1. In the case of those core faculty members who have been continuously employed as core faculty for two academic years or less, not later than April 30 of the last year of the contract;
2. In the case of those core faculty members who have been continuously employed as core faculty for more than two academic years, not later than 12 months prior to expiration of the contract.

B. In the event that notice, as provided in the preceding paragraph, is not timely given, a core faculty member shall be deemed to have had his or her current employment agreement extended for the academic year as a terminal year contract or shall receive severance pay in lieu thereof.

C. Notification as required by this Policy shall be deemed to have been given on the day it is sent to the faculty member's University email address, delivered to the faculty member's residence, personally served on the faculty member, or three business days after it is mailed to the faculty member by ordinary or certified mail.

D. Following an initial appointment, re-employment agreements will be written to terminate as of June 30.

E. This policy shall not apply to teaching, clinical, public service, research, visiting, affiliate, or adjunct faculty or to any other non-core faculty positions including those formerly known as associate, temporary, mentoring, practicum, supervising or advising faculty. All such non-core faculty appointments are limited to one-year and expire by their terms in accordance with the Letter of Appointment or contract issued to them. Therefore, no notice of their expiration or non-renewal is required.

### **III. Termination or Suspension of Contracts for Cause**

Upon the action of the campus Provost, the University may suspend for a specified time, or until specified conditions have been met, or terminate any appointment prior to the expiration of its term for any of the following reasons:

**A. Failure to perform professional duties.** Such suspension or termination shall be based on neglect of duties or refusal or continued failure to satisfactorily properly perform such duties. The reasons for the suspension or termination must directly and substantially relate to the appointee's role as faculty, administrator or staff.

**B. Gross personal misconduct.** Such suspension or termination shall be based on gross personal misconduct or a crime involving moral turpitude. Gross personal misconduct shall include a violation of those norms of behavior that are minimally necessary for carrying out professional responsibilities, which violate professional ethical standards applicable to the faculty member or program taught, or which are contrary to the community standards of honesty, justice and good morals so as to impugn the integrity or reputation of the University. Provided, however, that actions taken under this section shall not be contrary to the University's policy on academic freedom.

#### **IV. Termination of Contracts for Budget Curtailment and Programmatic Changes**

Because many external forces can affect the enrollment in a program and its fiscal viability, it may become necessary to reduce the faculty size for budgetary reasons prior to expiration of the current employment contract. Also, in order to meet the needs of our students and prospective students and to stay competitive, it is often necessary to make programmatic changes. Those programmatic changes may require changes in faculty and the elimination of current faculty positions. In order to insure flexibility and viability while also protecting the interests of the faculty member, written notice of termination shall be provides as follows:

A. In the case of those faculty members who have been continuously employed as Core Faculty for two academic years or less, not later than April 30. Such employees will nonetheless be employed through the end of the academic year in which the notice is received or given severance pay in lieu thereof.

B. In the case of those faculty members who have been continuously employed as Core Faculty for more than two academic years, termination may occur upon 12 month's notice. Such Core Faculty shall then be employed during the next 12 months or given one year of severance pay in lieu thereof.