

Faculty Resignation and Financial Exigency

- A. A faculty member may terminate an appointment by giving notice in writing. Faculty are encouraged to give notice well in advance of the date of termination of employment at the end of a contract term. For the purpose of determining eligibility for participation in the state uniform group insurance program during summer months only, the effective date of termination of a faculty member with a nine- or ten-month contract covering the regular academic year (generally, August to May) who gives notice of resignation prior to the end of the contract term but completes the contract term, or who completes the contract term and then gives notice of resignation before the beginning of the next regular contract term or does not return to work for the next regular term, is July 2. This provision does not apply if a faculty member's spouse is employed by the state and eligible for participation in the state uniform group insurance program during the summer months. Also, this provision does not apply if employment is terminated and a faculty member does not complete the contract term or if a faculty member provides notice of other health plan coverage during the summer months. If a faculty member with a nine- or ten-month contract also has a contract for the summer term and resigns but completes the term, the effective date of termination is July 2 or the ending date of the summer term contract, whichever is later. (SBHE policy 605.3, section 5, February 23, 2017.)
- B. A tenured faculty member terminated pursuant to Board declared financial exigency shall be given written notice of termination at least 90 days prior to the date of termination. A tenured faculty member terminated pursuant to loss of legislative appropriations shall be given written notice of termination at least 180 days prior to the date of termination. This change to 180 days will be restored on or before June 30, 2019, to 12 months. A tenured faculty member terminated pursuant to loss of institutional or program enrollment, consolidation of academic units or program areas, or elimination of courses shall be given written notice of termination at least 12 months prior to the date of termination. In such cases as described in this subsection, significant consideration shall be given to length of service and tenure status in the retention of faculty members within the affected academic unit or program area, curriculum requirements, professional achievements, breadth of competence, and equal employment opportunity. Each institution shall establish procedures for implementing this policy. (SBHE policy 605.3, section 6, amendment February 23, 2017.)
- C. In accordance with section 305.1 of these policies, the faculty governance structure at each institution shall adopt procedures by which faculty participation is solicited before notice of termination is given any tenured faculty member pursuant to subsection 6. Faculty participation shall be solicited concerning: The extent to which there are grounds for termination of tenured appointments; judgments determining where within the overall academic program termination of appointments may occur; and the procedure and criteria for identifying the individuals whose appointments are to be terminated. (SBHE policy 605.3, section 7, amendment February 23, 2017.)
- a. The Curriculum Committee will study academic parameters involved in the potential decision of which department(s) will be affected. This Committee forwards its report to the Committee on Finance and Plant, which will study the academic variables in light of the financial data and make a recommendation to the Vice President for Academic Affairs.
 - b. Once the department(s) in which the termination(s) are to occur have been determined, a committee comprised of the Vice President for Academic Affairs, one faculty member from each Division involved elected by the faculty of that Division, a faculty member elected by the Tenure, Promotion and Awards Committee from among its own number, and one faculty member from an unaffected Division which is designated by the other

MAYVILLE STATE UNIVERSITY

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elected faculty and who is elected by the faculty of that Division will determine which faculty are to be separated. The decision of this Committee, along with any supporting data, will be forwarded to the President for final decision and action.

Reviewed: Fall, 2008

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Sponsor: Vice President for Academic Affairs