

Sec. 4.5.3 Termination of Academic Employment Before the End of a Specified Term or for Persons with Tenure

A. Causes

1. Termination of an appointment with tenure, or of a special or probationary appointment before the end of the specified term, may be effected by the institution for any of the following causes only if the cause substantially impairs effectiveness as a faculty member:
 - a. Incompetence,
 - b. Neglect of or refusal to perform one's duty,
 - c. Immoral conduct.
2. Termination of an appointment with tenure, or of a special or probationary appointment before the end of the specified term, may be effected by the institution for financial exigency or bona fide discontinuance or reduction of a unit, a department, a program or a service. In such case the affected faculty member shall have the right to have the issues reviewed by a panel of the University Faculty Grievance Committee, with ultimate review of all controverted issues by the Board of Trustees after recommendation by the Office of the President. This review will include consideration of the range of course offerings of the institution, the importance of the program to the academic objectives of the unit, faculty status, affirmative action, and the prospects for future funding from all possible sources.

In every case of financial exigency or discontinuance or reduction of a unit, a department, or program of instruction, the faculty member concerned will be given appropriate notice as specified in Sec. 4.5.2 after recommendation by the President. Before terminating an appointment because of the discontinuance of a department, institute, program or service, every effort will be made to place affected faculty members in other suitable positions. If an appointment is terminated before the end of a period of appointment because of financial exigency, or because of the discontinuance or reduction of a program of instruction, the released faculty member's place will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reappointment and a reasonable period of time within which to accept or decline it.

B. Procedures

The procedures for termination of academic employment before the end of a specified term or for persons with tenure are specified in an Appendix: Termination Procedures to this Article.