



## Termination and Notification

This policy applies to Faculty only.

Special (temporary) appointments, Instructor appointments, and Tenure-Track appointments carry no assurance of reappointment, promotion, or tenure. All appointments or reappointments of these types are made by the University with the understanding that the employment of the individual shall end unconditionally on the ending date indicated in the appointment letter.

Reappointments are made solely at the discretion of the University. Non-reappointment of a faculty member does not necessarily carry an implication that his/her work or conduct has been unsatisfactory. Other factors are generally taken into consideration in determining whether or not a reappointment should be made. These factors may pertain to matters such as the particular needs of a department or other academic division, changes in the role or scope of the University, or financial constraints. Because of such considerations, the determination by the University to reappoint, or not to reappoint, a particular employee is based upon a review of the specific conditions relating to his/her position.

Special (temporary) appointments and Instructor appointments to the academic staff require no special notice of non-reappointment.

months in advance. This will allow ample time to file the application for retirement and other supporting documentation.

- 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:

## TERMINATION DUE TO FINANCIAL EXIGENCY

The *Rules* of the University of Louisiana System, Part Two, Chapter III, Section XVI Financial Exigency state:

- A. Staff Reduction. The Board recognizes circumstances that may indicate a need for staff reduction such as financial exigency. Financial exigency may exist at the institution, program or budget unit level and shall be verified by the System staff.
- B. Board Policy on Financial Exigency. Anything in the RULES of the Board of Supervisors for the University of Louisiana System to the contrary notwithstanding, if the Board determines that a condition of financial exigency exists at the institution, program, or budget unit within an institution, or the University of Louisiana System generally, then the furlough, layoff, and/or termination of tenured faculty, non-tenured faculty, or other contract employees before the end of their contract term will be handled in accordance with the financial exigency policy set forth below.
  1. Definition of Financial Exigency. A condition of financial exigency shall exist whenever the financial resources of an institution, program or budget unit are not sufficient to support the existing programs and personnel without substantial impairment of the ability of the entity to maintain the appropriate level of programs and services. Financial exigency may result from a substantial reduction in financial resources or from the failure to receive increases in financial resources sufficient to maintain the appropriate level of service. Evidence of financial exigency may include, among other factors, reduction of state appropriations, faculty and staff salary levels substantially below national and regional averages, significant loss of personnel, or inability to attract new personnel apparently due to inadequate salary and other support, and substantial threat of deterioration of facilities due to lack of resources for maintenance.
  2. Board of Supervisors for the University of Louisiana System Action. The Board, in the exercise of fiscal responsibility, may decide to declare financial exigency with respect to the System as a whole, to one or more institutions of the System, or to one or more programs and/or budget units within institutions. Reasonable efforts shall be made to ensure that students affected will be allowed to complete their programs, within the limits of budgetary restraints, at the institution or by transfer to another institution.

A declaration of financial exigency shall represent a determination by the Board, upon recommendation of the institution president and System President, that the financial condition of the System, an institution, program, or budget unit has reached a crisis in which the entity must carefully reexamine its priorities and reduce programs or personnel or both to effect a cost savings sufficient to alleviate the financial exigency.

The determination of financial exigency affecting the System, institution, program or budget unit shall be the sole responsibility of the Board. However, the president



and the System President, and the decisions are final upon approval of the System President. Review of such decisions by the Board is at its sole discretion.

5. Termination of Financial Exigency. Financial exigency shall terminate either at the end of the fiscal year, or after one calendar year, depending upon the financial state of the institution, program or budget unit at the end of the fiscal year.
- C. Published Policy. The institution shall make provisions to publish a reference to and summary of this Rule in their faculty handbook.
  - D. Emergency Procedures. The System President may allow the institution to implement emergency procedures to be reviewed at the next full Board meeting.
  - E. Furloughs outside of Financial Exigency. In addition to furloughs implemented under a declaration of financial exigency, the Board may initiate separate measures which authorize the campuses to take specific employee actions, including furloughs, in the event of severe budgetary constraints. Such actions may only take place with the recommendation of the System President and approval of the Board

## **TERMINATION DUE TO ACADEMIC PROGRAM DISCONTINUANCE**

