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## Policy Information

**Last Revised Date:**

August, 2016

**Policy Number:**

UHAP 4A.4

**Responsible Unit:**

Faculty Affairs

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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 6-302(G), (H), and (I).

### 4A.4.01 Resignations

Continuing status and continuing-eligible academic professional employees who intend to resign will notify their immediate administrative head in writing of their intention as early as possible.

### 4A.4.02 Suspensions or Dismissals

The suspension or dismissal of continuing status academic professional employees will be governed by ABOR-PM 6-302(G) and 6-302(I). Just cause is required to dismiss a continuing status or continuing-eligible academic professional employee, and will not occur until such employee has been given an opportunity for a hearing as prescribed by ABOR-PM 6-302(I). The Committee on Conciliation established under the Constitution and Bylaws of the General Faculty of the University of Arizona will constitute the conciliation committee required under ABOR-PM 6-302(I)(3) and the Committee on Academic Freedom and Tenure established under the Constitution and Bylaws of the

General Faculty of the University of Arizona will constitute the committee to conduct formal hearings required under ABOR-PM 6-302(I)(4). The rules and procedures provided in the Constitution and Bylaws for the respective committees will govern the conduct of the hearings except where specific provisions of ABOR-PM 6-302(I) provide otherwise.

#### **4A.4.03 Decisions on Nonrenewal**

Decisions to nonrenew a continuing-eligible professional employee will be made by the President upon recommendation of the Provost following the levels of review in Section 4A.3.02.C. A nonrenewed continuing-eligible academic professional employee will be given at least a 90-day notification of the nonrenewal prior to the end of the appointment period. Failure to provide a 90-day notification of a nonrenewal will not constitute an automatic renewal of an appointment. If the University fails to provide at least 90 days' notice, the continuing-eligible academic professional employee's appointment will be extended for a period of at least 90 days following the date on which the University provides such notice.

#### **4A.4.04 Nonrenewals of Continuing-Eligible Academic Professional Employees**

##### **a. Decisions to Nonrenew and Notification**

As with promotion or continuing status reviews, continuing-eligible academic professional employees 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 continuing-eligible academic professionals follow the process in Section 4A.3.02, including the levels of review as described in 4A.3.02.c. If the Provost decides to nonrenew a continuing-eligible academic professional employee's appointment, a terminal contract will be offered for the next appointment period if the individual has been employed as a continuing-eligible academic professional for at least two years.

Upon request a continuing status or continuing-eligible academic professional employee is entitled to a statement of the reasons for the recommendation President's decision to nonrenew the employee'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 continuing-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 4A.3.02.e.

#### **4A.4.06 Release of Continuing Status and Continuing-Eligible Academic Professional Employees**

Termination of the appointment of a continuing status academic professional employee or a continuing-eligible academic professional employee because of institutional financial emergency or reorganization will be designated a "release." The Provost will be informed of all release actions

before implementation of the action.

### **A. Release Due to Institutional Financial Emergency**

Release of continuing status and continuing-eligible academic professional employees may occur when deemed necessary by the President due to a financial emergency as declared by the Board in accordance with the provisions of ABOR PM 6-302(H)(2).

### **B. Release Due to Reorganization**

Release of continuing status or continuing-eligible academic professional employees may occur when a reorganization is deemed necessary due to a budget or program decision requiring program discontinuance, curtailment, modification, or redirection and when such a reorganization plan is approved by the Board in accordance with the provisions of ABOR PM 6-302(H)(3).

## **Related Information\***

**ABOR Policy 6-302 Conditions of Service for Academic Professionals** [2]

**Constitution of the General Faculty** [3]

## **Revision History\***

04/01/2024: Updated link to Constitution of the General Faculty.

12/20/2023: Corrected links to ABOR policy referenced in Section 4A.4.06.A and B, and in Related Information section.

08/23/2016: Updates approved.

07/2014: Revised.

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### **Source**

**URL:**<https://policy.arizona.edu/employment-human-resources/suspensions-and-terminations-continuing-status-and-continuing-eligible>

### **Links**

[1] <mailto:facultyaffairs@email.arizona.edu> [2]

<https://public.powerdms.com/ABOR/documents/1499267> [3]

<https://facultygovernance.arizona.edu/sites/default/files/2023-09/Faculty%20Constitution%20v.%208-21-23.pdf>