

Permanent Separations for Academic Appointees

ACA-52

About This Policy

Effective Dates:

07-27-1969

Last Updated:

12-07-2020

Responsible University Administrator:

Board of Trustees, Indiana University

Policy Contact:

Campus Chief Academic Affairs Official

Scope

All academic appointees.

Policy Statement

1. Resignation

An academic appointee shall give reasonable advance notice of resignation to the chief administrator of the academic unit so that the instructional programs of the unit are not adversely affected. When a resignation will become effective at the end of an academic year, notice should be given prior to May 15.

2. Retirement

- a. Indiana University has no mandatory retirement age for academic appointees.
- b. An appointee who intends to retire shall give reasonable advance notice to the chief administrator of the academic unit so that the instructional programs of the unit are not adversely affected. In most cases, notice should be given a year in advance so the unit has time to recruit qualified candidates to fill the appointee's position.
- c. Each campus should arrange an occasion in the spring of each academic year to honor academic appointees who are retiring, along with those already retired.
- d. The faculty governance organization of departments, schools, and campuses may extend local privileges to retired appointees in addition to those given to retirees generally by the university.
- e. Academic appointees who have retired under the 18-20 plan are not eligible for re-hiring by the university while receiving payments under the plan. All other retired academic appointees may be re-hired at the discretion of the university on an adjunct or visiting basis.

3. Non-Reappointment

- a. The non-reappointment of tenure-track faculty during the probationary period is covered under [ACA-22, Reappointment and Non-Reappointment During Probationary Period](#).
- b. For non-tenure-track faculty on year-to-year, full-time appointments, notice of non-reappointment shall be given in writing in accordance with the following standards:
 1. Not later than February 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

2. Not later than November 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.
3. At least twelve months before the expiration of an appointment after two or more years of service.
- c. For non-tenure-track faculty with multi-year appointments, notice of non-reappointment shall be given in writing at least twelve months before the expiration of the term of the appointment. The notice does not reduce the time remaining in the appointee's current term, and separation does not occur until the end of that term.

4. Involuntary Dismissal of Tenured Academic Appointees

- a. Involuntary dismissal of tenured academic appointees refers to the termination of employment prior to retirement or resignation. Dismissal is thus to be distinguished from the non-reappointment during the probationary period.
- b. On July 27, 1969, the Board of Trustees enacted the following policy: Dismissal shall occur only for reason of (a) incompetence, (b) serious **personal or professional misconduct** or (c) extraordinary **university financial exigency**. No academic appointee shall be dismissed unless reasonable efforts have been made in private conferences between the appointee and the appropriate administrative officers to resolve questions of fitness or of the specified financial exigency. If no resolution is attained, the appointee to be dismissed shall be notified of dismissal in writing by the Provost/Chancellor or the President one year before the date the dismissal is to become effective, except that an appointee found responsible for serious personal misconduct may be dismissed upon shorter notice, but not on less than ten days' notice. Upon receipt of the dismissal notification, an academic appointee must be accorded the opportunity for a hearing. A statement with reasonable particularity of the ground proposed for the dismissal shall be available in accordance with the provisions in the Faculty Constitution. An appointee may be suspended during the pendency of dismissal proceedings only if immediate harm to the appointee or others is threatened by continuance. Any such suspension may be suspended with pay.
- c. The hearing required by paragraph 2 shall be held by a campus Faculty Board of Review.
- d. In any case in which the position of an academic appointee with tenure has been eliminated due to a university financial exigency, the university will make every reasonable effort to place the appointee in a comparable position elsewhere in the university or at another institution.

5. Involuntary Dismissal of Non-Tenured Academic Appointees

- a. Involuntary dismissal refers to termination of employment of a non-tenured appointee prior to the expiration of the term of appointment.
 - b. Involuntary dismissal shall occur only for reason of (a) incompetence, (b) **serious personal or professional misconduct**, or (c) extraordinary **university financial exigency**, or on other grounds specified in policies regulating specific non-tenure-track appointment categories.
 - c. No appointee shall be dismissed for incompetence unless all reasonable efforts have been made in private conferences between the appointee and the appropriate administrative officers to resolve the question of fitness.
 - d. No non-tenured academic appointee shall be dismissed due to a university financial exigency unless all reasonable efforts have been made by appropriate administrative officers to resolve the financial issue or appoint the individual to a comparable position elsewhere in the university.
 - e. A non-tenured academic appointee notified of involuntary dismissal must be accorded the opportunity for a hearing before a campus Faculty Board of Review.
 - f. A non-tenured academic appointee may be suspended during the pendency of dismissal proceedings by the Provost/Chancellor only if immediate harm to the appointee or others is threatened by continuance. Any such suspension shall be with pay.
6. In order to dismiss an academic appointee in less than one year because the appointee is found responsible for serious personal misconduct, the conduct must pose an ongoing threat to the safety and security of the university community, constitute repeated acts of the same form of misconduct, or have resulted in a felony conviction.

Reason For Policy

The end of an academic career is as important as the beginning. The mutual rights and responsibilities of academic appointees and university administrators must be articulated to make the process transparent. In 1969, the Trustees enacted a policy governing the dismissal of a tenured faculty member, which serves as the model for this policy.

Definitions

Personal or professional misconduct: Conduct that has been determined to violate a misconduct policy of the university or a campus which has been enacted or approved by a faculty governance organization, including [UA-03, Discrimination, Harassment and Sexual Misconduct](#); [ACA-30, Research Misconduct](#), [ACA-33, Code of Academic Ethics](#), and campus policies on personal misconduct.

History

(University Faculty Council, May 15, 1956; December 3, 1968; Board of Trustees, July 27, 1969; University Faculty Council, April 28, 2020; University Faculty Council, December 7, 2020)

By way of its adoption of UA-21, Sanctions for Noncompliance with [COVID-19 Health and Safety Directives](#), the Board of Trustees made failure or deliberate refusal to comply with the health and safety guidance and directions adopted by the university to combat the spread of COVID-19 an act of “serious personal and professional misconduct” within the meaning of this policy. Board of Trustees, August 14, 2020.

Related Information

[ACA-41, Faculty Role Regarding A University Financial Exigency](#)
[ACA-18, Regulation of Clinical and Lecturer Appointments](#)
[ACA-19, Regulation of Professor of Practice Appointments](#)
[ACA-20, Regulation of Research Appointments](#)
[ACA-22, Reappointment and Non-Reappointment During Probationary Period](#)
[ACA-30, Research Misconduct](#)
[ACA-33, Code of Academic Ethics](#)
[UA-03, Sexual Misconduct](#)