

FAYETTEVILLE STATE UNIVERSITY

ADMINISTRATIVE SEPARATION AND/OR RETREAT TO A FACULTY POSITION

- Authority:** Issued by the Board of Trustees. Changes or exceptions to administrative policies issued by the Board of Trustees may only be made by the Board of Trustees.
- Category:** Employment (EPA Non-Faculty)
- Applies to:** ●Staff
- History:** Approved, September 17, 2003
First issued, September 17, 2003
- Related Policies:** The *Code* of the University of North Carolina
Administrative Separation and/or Retreat to a Faculty Position [UNC Policy #300.1.6R]
Senior Academic and Administrative Officers [UNC Policy #300.1.1]
- Contact for Info:** Office of Legal Affairs (910) 672-1145
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I. RETREAT TO A FACULTY OR NON-FACULTY POSITION

A. Retreat to a Faculty Position

A university administrator who voluntarily or involuntarily relinquishes his or her administrative position and who holds a concurrent tenured faculty appointment may return to that appointment with all the rights and responsibilities of faculty in the home department, unless a proceeding is initiated to discharge or demote the administrator from the faculty position.

1. Removal of Administrative Stipend

If there has been an administrative stipend during the appointment, that stipend should be removed. The salary will be adjusted from a 12-month administrative salary to a 9-month or 12-month faculty salary that is commensurate with the salaries of comparable faculty members.

2. **Maintaining Administrative Stipend**

- a. At his or her discretion, the chancellor may provide for a reasonable period of time full administrative salary so that the employee may prepare for teaching and research/creative responsibilities. The reasonable period of time should be related to the time spent in the administrative role(s).
- b. If the chancellor proposes to pay the administrator full or partial administrative pay after the termination of the administrator's duties for longer than one (1) year, the agreement must be approved by the Board of Trustees of the university.

B. Retreat to a Non-Faculty Position

An administrator who leaves a position that is categorized as "at will" has no claim to a position at the university. However, the chancellor may, at his or her discretion assign the employee to another administrative or to a teaching position. In such a case, the chancellor must pay the administrator a salary that is commensurate with his or her new assignment.

Any agreement with the administrator that (1) allows the chancellor to pay the administrator his or her full administrative salary after moving the administrator to a position that would normally be lower paying or (2) allows the chancellor to grant the administrator paid leave must be approved by the Board of Trustees. (Note: This does not supersede any notice or severance pay required by Board of Governors' policy.)

II. SEPARATION OR RETIREMENT

A. Separation from the University

When a decision is made to separate an administrator, the chancellor may negotiate a severance agreement with that administrator in lieu of providing notice as required by Board of Governors' policy. The terms of that agreement must be in accordance with the Board of Governors' policy governing senior academic and administrator officers.

- 1. Senior academic and administrative officers who are governed by Section I.B. of the Board of Governors' policy § 300.1.1 include employees classified as associate and assistant vice chancellors, associate and assistant deans, and employees who hold administrative positions within the university that have been designated by the President as Senior Academic and Administrative Officers. Administrators in this category are entitled to the following amount of severance pay:

- a. During the first year of service, an administrator who is separated from the university shall receive no less than thirty (30) days severance pay;
 - b. During the second and third years of service, an administrator who is separated from the university shall receive no less than sixty (60) days severance pay; and
 - c. During the fourth and all subsequent years of continuous service, an administrator who is separated from the university shall receive no less than ninety (90) days severance pay.
2. Senior academic and administrative officers who are governed by Section I.A. of the Board of Governors' policy § 300.1.1 include employees classified as vice chancellors, provosts, deans, and directors of major administrative, educational, research and public services activities. Administrators in this category are not entitled to notice or severance pay upon the discontinuation of their employment. However, the chancellor, at his or her discretion, may determine that the circumstances justify continuing full pay for employees in this category for up to ninety (90) days. Any agreement that results in a longer period of compensation must be approved by the university's Board of Trustees.

B. Retirement

Nothing in this policy shall prevent an administrator from retiring or an administrator who holds a faculty appointment from participating in phased retirement consistent with existing University of North Carolina policies.

III. MISCELLANEOUS PROVISIONS

- A. No agreement made pursuant to this policy will be considered valid unless it is in writing and signed by both the administrator and the chancellor or the chancellor's designee.
- B. The effective date of this policy shall be September 17, 2003. This policy shall apply to all covered administrators who leave their position on or after the effective date. In addition, any agreement between Fayetteville State University and an administrator entered into on or after the effective date must be consistent with the terms of this policy.