

FAYETTEVILLE STATE UNIVERSITY

ADMINISTRATIVE SEPARATION AND/OR RETREAT TO A FACULTY POSITION

- Authority:** Issued by the Chancellor. Changes or exceptions to administrative policies issued by the Chancellor may only be made by the Chancellor.
- Category:** Employment (EPA Non-Faculty)
- Applies to:**
- Administrators
- History:**
- Revised: November 17, 2010
Approved: September 17, 2003
First issued: September 17, 2003
- Related Policies:**
- The *Code* of the Board of Governors of the University of North Carolina
 - *Regulation on Administrative Separation* [UNC Policy #300.1.6[R]]
 - *Senior Academic and Administrative Officers* [UNC Policy #300.1.1]
- Contact for Info:** Office of Legal Affairs (910) 672-1145

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. **Research Leave**

- a. **Applicable to Individuals Whose Service as an SAAO Began Prior to May 2, 2010**

- i. At the discretion of the Chancellor, 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).
- ii. 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. Applicable to Individuals Whose Service as an SAAO Began On or After May 2, 2010

- i. At the discretion of the Chancellor, the Chancellor may provide for up to a one semester research leave for any tenured faculty member who has served in one or more consecutive Senior Academic and Administrative Officer positions subject to *UNC Policy 300.1.1, IA* for at least five (5) years in order to provide an opportunity for the faculty member to prepare for teaching and research responsibilities. Prior to the beginning of the research leave, the administrator shall submit a work plan for the leave period to include expected outcomes. The plan will be reviewed and approved by the Chancellor. In the event that an employee of UNC General Administration is returning to the faculty of a constituent institution, the President shall review and approve the work plan. The leave will be paid at a salary commensurate with the salaries of comparable faculty members.
- ii. **Exception Provision.** Exceptions may be made to recognize extraordinary circumstances including, but not limited to, extended or superior service in administrative roles. Any exception to these provisions must be approved by the Board of Trustees and by the President.
- iii. **Failure to Return to Faculty Role.** In the event that the faculty member does not assume faculty responsibilities for at least a semester after the research leave, the Chancellor is authorized, in his or her discretion, to require repayment of compensation paid during the leave period from the non-returning faculty member.

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, there may be circumstances in which assignment to another administrative or teaching position would be beneficial for both the institution and the employee. In such cases, the new salary should be appropriate to the new assignment. Any exception must be approved by the Board of Trustees and the President. This does not supersede any notice or severance pay required by the 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

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.