

## 3530 Severance/Termination

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### I. Resignation: All Contracts

A resignation is a formal written statement by which a faculty member voluntarily severs his or her relationship with the College. The resignation shall be written to the faculty member's Division Chair and the Vice President for Academic Affairs and indicate the final date of employment. If the resignation is intended to result in the early termination of a contract, the Division Chair and Vice President for Academic Affairs shall choose to either accept or not accept the resignation.

### II. Non-reappointment: Probationary and Fixed-term Contract Status

Non-reappointment means that the College has decided not to renew a contractual appointment at the conclusion of its term. The College shall provide the faculty member with notice of intent not to reappoint.

Recommendations for non-reappointment may originate with the Vice President for Academic Affairs or the Division Chair. The decision not to reappoint a faculty member rests with the President, made in consultation with the Vice President for Academic Affairs and the appropriate division chair.

The College is not required to set forth its reasons for non-reappointment. If the faculty member requests in writing that reasons be given, those reasons become public information at the discretion of either party.

Notice of non-reappointment shall be given in writing to the faculty member by April 1.

### III. Dismissal

#### A. Definitions

Dismissal is a severance action by which the College ends for cause its professional relationship with a faculty member holding tenure. Dismissal is also the means by which the College removes for cause a probationary or fixed-term faculty member from service before the end of the faculty member's appointment. Board policy [5530: "Discipline Staff"](#) shall be utilized as a part of the discipline and dismissal process for faculty.

For cause dismissal may include but is not limited to the following:

- False credentials.
- Failure to perform professional duties, including those set forth in the Board Policy Manual.
- For nursing faculty, violations of the standards for Nursing Education Programs as contained in the Rules and Regulations of the Wyoming State Board of Nursing.
- Violation of the civil rights and freedoms, as defined by federal and state law, of any College employee or student.
- Conviction of a felony.
- Misappropriation of College funds or property.
- Violence or carrying out any form of harassment, including sexual harassment.
- For violation of professional ethics (see policy [3330 "Professional Ethics"](#)).
- For other good cause.

#### B. Dismissal Procedures

The Vice President for Academic Affairs or the President may recommend dismissal. The President or designee shall discuss the matter with the faculty member in person. If the President believes that the safety or health of an employee or student is endangered, the President may suspend the faculty member at full pay pending the outcome of a complete investigation.

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### **IV. Termination**

Termination is a severance action by which the College terminates the services of a faculty member without prejudice as to the faculty member's performance. In the event of termination, the affected faculty member may request a hearing before the Board of Trustees. Causes for termination of tenured faculty shall include the following:

A. Prolonged Mental or Physical Illness

The College shall make the decision to terminate employment for medical reasons after informing the faculty member or counsel in writing of the basis for the proposed action and affording an opportunity to respond in writing to the proposed action within fourteen calendar days.

If the President believes that the safety or health of an employee or student is endangered, the President may suspend the faculty member at full pay pending the outcome of a complete investigation.

B. Financial Sustainability

Financial sustainability is defined as the ability of the College to operate within projected revenue. In considering how to ensure financial sustainability, the President shall consult with the Vice Presidents and College Council.

C. Reduction in Force

The retention of viable instruction programs must be the primary goal. The faculty shall only bear a proportionate share of the necessary reductions. Any Reduction in Force adopted by the Board of Trustees must include provisions listed in policy 5510 "[Reduction in Force](#)," for the observance of faculty tenure and seniority.

D. Discontinuation of an Educational Program

Termination of a faculty member holding tenure may occur as a result of the formal discontinuation of an educational program. The President, in consultation with the Curriculum Committee, the Academic Advisory Council, Faculty Senate, and the College Council, shall recommend the discontinuation of an educational program to the Board. The decision of the Board shall be final.

The College shall give notice of discontinuation in writing at least six months in advance of termination.

If the College terminates a tenured faculty member for discontinuation of an educational program, the College shall not fill that position with a replacement for a period of two years unless the College has offered that faculty member reappointment with tenure status at the rank held at the time of termination and has given the faculty member at least 10 business days in which to accept or decline the appointment.

### **V. Retirement**

The College provides each qualified retired faculty member with those benefits stipulated by the State of Wyoming Retirement System and by Federal Law.

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