

## **University of Minnesota**

### **Notice of Non-renewal or Termination of Appointment Policy**

**Notice of Non-renewal of Date-Specific (J,K) Appointments** - Written notice must be sent by the appointing authority for non-renewal of fixed-term (J) and annual (K) appointments. The length of non-renewal notice required will be determined by consecutive years of service in academic non-student position(s) and by the end date shown on the PAF and Notice of Appointment.\*

A professional appointee may not be terminated prior to the end date of the contract except for just cause, a state of fiscal emergency declared by the Board of Regents, or program curtailment. The required non-renewal notice periods are:

<u>Length of Employment</u>	<u>Length of Non-renewal Notice</u>
1st year	one month
2nd through 5th years	three months
6th through 10th years	six months
11th year on	twelve months (one paid contract year)

There are two exceptions: (1) for county agents in the Minnesota Extension Service 96XX titles, the maximum non-renewal notice period is six months; (2) these non-renewal notice provisions do not apply to Lecturer, Teaching Specialist, and Research Specialist classes. (See I.A.2)

If notice is not given so that the notice period occurs within the contract period, the appointment end date shall be extended to provide for the required non-renewal notice period, but no longer than the notice period. There is no provision for grievance of non-renewal of a fixed-term (J) or annual appointment (K) when the appointment term is completed and the required notice is given.

Part-time, fixed-term (J) and annual (K) appointments are entitled to the same length of notice provisions. If the appointments have been for different percentages of time over the length of the individual's employment, the non-renewal notice period should provide for an averaged amount of time. Alternatives to the non-renewal notice period, such as full-time appointment for three months rather than half-time appointment for six months, is permitted providing the agreement is in writing and mutually consented to by the employee and the appointing authority.

During the notice period, the individual may be reassigned to different job duties and responsibilities by the appointing authority. For the duration of the notice period, salary must be retained at a level no lower than the salary in effect at the time of the notice.

\* For persons hired prior to July 1, 1990, length of notice shall be based on consecutive years of non-student University employment and the end date shown on the PAF and Notice of Appointment.

Regents' policy permits a lump sum severance payment under certain conditions. There is no entitlement to such payments and any agreement requires prior review and approval by the President or President's designee. See "Severance Policy for Academic Professional and Administrative Employees" in the Appendix II H.

**Notice of Non-reappointment for Probationary (H) Professional Appointments** - Written notice of non-reappointment must be sent by the senior vice president for academic affairs and may be sent in any year of the probationary period. The notice dates are:

First year - on or before March 1, effective at the end of the current contract year

Second and subsequent years - on or before May 15, effective at the end of the following contract year. Non-reappointment of a probationary professional employee is not a dismissal for cause. Non-reappointment may not be based upon any belief, expression, or conduct protected by law or the principles of academic freedom. Notice must be preceded by a full, fair, and appropriate review.

A probationary professional staff member may appeal notice of non-reappointment within 30 days of the postmark of written notice in writing to the Chairperson of the Academic Staff Advisory Committee and request that a hearing panel be established to review the appeal. Failure to meet the 30-day time limit for appeal shall constitute waiver of the right to appeal.

The procedures to be followed for such appeals are described in the policy section, "Guidelines for Implementing Grievance Appeals of University of Minnesota Academic Professional and Administrative Staff," Appendix V A.

**Notice of Termination of a Continuous (G) Professional Appointment** - Written notice of termination of service may only be given by the senior vice president for academic affairs. A professional staff member with continuous (G) appointment may be removed for just cause, a state of fiscal emergency declared by the Board of Regents, or program curtailment. (See I.C.6.) Continuous appointees shall have 12 months' notice of termination or comparable severance when terminated for reasons of fiscal emergency or program curtailment, unless there are compelling reasons to the contrary.