



UTAH VALLEY UNIVERSITY

Policies and Procedures

Proposed Policy Number and Title: 648 Faculty Personnel Reduction		
Current Policy Number and Title: 648 Faculty Personnel Reduction (TEMPORARY)		
Approval Process*		
☒ Regular	☐ Temporary	☐ Compliance Change
☐ New ☒ Revision ☐ Revision—Limited Scope ☐ Deletion	☐ New ☐ Revision ☐ Revision—Limited Scope	☐ New ☐ Revision—Limited Scope ☐ Deletion
*See UVU Policy 101 <i>Policy Governing Policies</i> for process details.		

Draft Number and Date:	Stage 1 Regular, September 22, 2025
President's Council Sponsor:	Wayne Vaught
Policy Steward:	Kat Brown

POLICY APPROVAL PROCESS DATES		
REGULAR	TEMPORARY	COMPLIANCE
Drafting and Revision Entrance Date: <u>2/13/2020</u>	Drafting and Revision Entrance Date: _____	President's Council Approval Approval Date: _____
University Entities Review Entrance Date: <u>9/25/2025</u> Close Feedback: <u>11/20/2025</u>	Board of Trustees Review Entrance Date: _____ Approval Date: _____	Board of Trustees Ratification Ratification Date: _____
Board of Trustees Review Entrance Date: _____ Approval Date: _____		



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POLICY TITLE	Faculty Personnel Reduction	Policy Number	648
Section	Academics	Approval Date	
Subsection	Faculty	Effective Date	
Responsible Office	Office of the Provost/Senior Vice President of Academic Affairs	Last Review	

1.0 PURPOSE

1.1 This policy lays out the procedures for four reasons for the separation of full-time faculty from the University due to resignation, retirement, program discontinuance, and the discontinuance of employment for tenure-track faculty. It outlines the responsibilities the University has for faculty who may be separated from the University due to program discontinuance. This policy applies to non-tenure track (lecturers), tenure-track, and tenured faculty.

2.0 REFERENCES

2.1 *Duties and Responsibilities of the President of a Degree-granting Institution of Higher Education—Approval by Board of Trustees*, Utah Code § 53B-2-106 through § 53B-2-106.1

2.2 Utah Board of Higher Education Policy R481 *Academic Freedom, Professional Responsibility, Tenure, Termination, and Post-Tenure Review*

2.3 Utah Board of Higher Education Policy R482 *Bona Fide Financial Exigency and Personnel Reduction*

2.4 UVU Policy 373 *Bona Fide Financial Exigency and Human Resources Reduction*

2.5 UVU Policy 646 *Faculty Appeals for Retention, Tenure, and Promotion*

3.0 DEFINITIONS

3.1 Bona Fide program discontinuance: The termination or modification of a program that results in the elimination of a faculty member's position based upon educational and academic considerations. Educational and academic considerations do not include cyclical or temporary variations in enrollment, but are based on evidence and reflect judgments that in the long term



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the basic educational mission of the institution will be strengthened by the discontinuance or modification of a program. This does not preclude the reallocation of resources to other academic programs with higher priority based on academic, educational, and legislative considerations.

3.2 Separation: For the purposes of this policy, the termination of the employment relationship due to program discontinuance, resignation, retirement, or discontinuance of (tenure-track faculty).

4.0 POLICY

4.1 Purpose and Scope of Policy

4.1.1 This policy provides the procedures for the separation of full-time faculty from the University due to resignation, retirement, program discontinuance, and the discontinuance of employment for tenure-track faculty. It also lays out the University's responsibilities for faculty who are laid off due to program discontinuance, including the terms of reinstatement, reassignment, and severance.

4.1.2 This policy applies to non-tenure track faculty (lecturers), tenure-track faculty, and tenured faculty as designated. It does not apply to adjunct faculty and instructors.

4.1.3 This policy does not cover separation due to financial exigency. See UVU Policy 373 *Bona Fide Financial Exigency and Personnel Reduction*.

4.1.4 Separation at midterm or tenure reviews are covered in Policy 637 *Faculty Tenure*, and dismissals for cause are covered in Policy 649 *Faculty Sanctions and Dismissal for Cause*.

4.2 Resignations and Retirement

4.2.1 Full-time faculty shall follow established procedures for resignation and retirement.

4.2.1.1 Resignation. Faculty members shall submit their decision to resign to their immediate supervisor at the earliest feasible date.

4.2.1.2 Retirement. Faculty shall submit their decision to retire in accordance with People and Culture retirement procedures.

4.2.2 Written notification of intent to resign or retire shall be considered binding unless the faculty member rescinds the notification in writing within five working days of the date of submission.



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4.3 Discontinuance of Employment for Tenure-Track Faculty

4.3.1 During the tenure-track period, the University may determine that a tenure-track faculty member's employment will be discontinued for reasons other than those stated in this policy and in Policy 649. The appropriate dean should give advance notice of discontinuance to tenure-track faculty in writing as early as possible but no later than in accordance with the following standards:

4.3.1.1 During the first academic year of a one-year appointment. If the appointment expires at the end of the academic year, notice of discontinuance shall be given no later than March 1 of the first academic year of service; or, if the one-year appointment terminates during an academic year, notice should be given at least three months in advance of termination.

4.3.1.2 During the second academic year of a two-year appointment. If the appointment expires at the end of the second academic year of service, notice of discontinuance shall be given no later than December 15; or, if an initial two-year appointment terminates during an academic year, notice should be given at least six months in advance of termination.

4.3.1.3 After two or more years. Notice of discontinuance shall be given not fewer than six months before the expiration of an appointment after two or more years in the institution.

4.3.2 Procedural due process. If a tenure-track faculty member alleges that discontinuance is based on discriminatory or prejudicial treatment in violation of their constitutional or statutory rights, the faculty member may file a complaint under Policy 165.

4.4 Separation of Faculty for University Reasons

4.4.1 Program or unit discontinuation. A faculty member may be laid off or given a contract with or without substantially reduced status in the event of a bona fide discontinuance of a program or department of instruction.

4.4.1.1 Notice of layoff of tenured faculty. Notice of layoff of a tenured faculty member as the result of bona fide program discontinuance should be provided in writing as early as possible to the faculty member and must be no fewer than six months before the dismissal of the faculty member.

4.4.1.2 Notice of layoff of tenure-track faculty. Notice of layoff of a tenure-track faculty member as the result of bona fide program discontinuance should be provided in writing as early as possible to the faculty member but no later than in accordance with the following standards:

4.4.1.3 If the appointment expires at the end of the academic year, notice of layoff shall be given no later than March 1 of the first academic year of service; or, if the one-year appointment terminates during an academic year, notice should be given at least three months in advance of termination.



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4.4.1.4 If the appointment expires at the end of the second academic year of service, notice of layoff shall be given no later than December 15; or, if an initial two-year appointment terminates during an academic year, notice should be given at least six months in advance of termination.

4.4.2 Notice of layoff of non-tenure-track faculty. Notice of layoff of a non-tenure-track faculty member as the result of bona fide program discontinuance should be provided in writing as early as possible to the faculty member.

4.4.3 Notice in addition to the required minimum. The University shall make reasonable efforts to give each affected faculty member as much notice of discontinuance or layoff in addition to the notice required by UVU policy as is practical under the circumstances.

4.5 Reinstatement Rights

4.5.1 For tenured faculty. In cases of layoff of tenured faculty members, the position concerned may not be filled by replacement within a period of three years from the effective date of the layoff unless the tenured faculty member has been offered a return to employment in that position and has not accepted the offer within 30 calendar days after the offer was extended.

4.5.2 For tenure-track faculty. Except as provided in section 5.1.3, when a tenure-track faculty member has been laid off, their position may not be filled by replacement within a period of one year from the effective date of the layoff unless that position has been offered to the following persons who were laid off, who are qualified therefore, and who have not theretofore been rehired: first, tenured faculty members; and second, tenure-track faculty members. Each such offer must be accepted within 30 calendar days after the offer is extended before being offered to anyone else.

4.5.3 For reinstated faculty. A faculty member who has been laid off and who accepts reinstatement in the same position shall resume the rank and tenure status held at the time of layoff, be credited with any sick leave accrued prior to the date of layoff, and be paid a salary commensurate with the rank and length of previous service.

5.0 PROCEDURES

5.1 Conciliatory Actions

5.1.1 Notification. When a tenured faculty member is laid off or given a renewal contract with a substantially reduced status because of bona fide discontinuance of a program, a department of instruction, or other equivalent tenure-granting academic subdivision, the University shall notify the tenured faculty member no later than March 30 of the year the program is discontinued.



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5.1.2 Severance. If a tenured faculty member is being laid off because the program in which the tenured faculty member works is discontinued or modified, the University must pay the tenured faculty member through the end of the academic year.

5.1.3 Reassignment. When preparing and implementing a plan for personnel reduction, the University shall make a good faith effort to reassign any faculty member to be laid off to an existing vacant position within the University for which the faculty or staff member is qualified. A tenured faculty member who is not laid off and who is appropriately qualified has the right to displace a non-tenured faculty member from their position. The dean and the department chairperson shall negotiate the reassignment of faculty, including decisions regarding salary and other rights in the new assignment, with the participation of the faculty of the program to which the proposed reassignment is to be made. Reassigned faculty with tenure carry that tenure to the new program.

5.2 Appeals Rights

5.2.1 If a faculty member is laid off under 4.4.2 Program or Unit Discontinuation, that decision is not appealable; however, if a faculty member believes they have been subject to discrimination, they may file a complaint under Policy 165. (See Policy 165 for specific procedures.)

POLICY HISTORY		
Date of Last Formal Review: Click here to enter a date.		
Due Date of Next Review: Click here to enter a date.		
Date of Last Action	Action Taken	Authorizing Entity
April 15, 2010	Regular policy approved.	UVU Board of Trustees
March 28, 2024	Temporary policy approved.	UVU Board of Trustees
April 25, 2024	Compliance change mandated by HB 438, Utah Legislature.	UVU President's Council
May 6, 2024	Compliance change ratified.	UVU Board of Trustees
March 20, 2025	6-month extension of temporary policy; new expiration date is 10/25/2025.	UVU Board of Trustees
	Revisions approved through regular policy process.	UVU Board of Trustees



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POLICY TITLE	Faculty Personnel Reduction (TEMPORARY)	Policy Number	648
Section	Academics	Approval Date	April 25, 2024
Subsection	Faculty	Effective Date	April 25, 2024
Responsible Office	Office of the Provost/Senior Vice President of Academic Affairs	Last Review	April 25, 2024

1.0 PURPOSE

1.2 UVU Policy 648 Faculty Personnel Reduction (Interim Policy) has been proposed for revision into four separate policies; namely, Policy 648 *Faculty Reduction or Reassignment for Institutional Reasons*, Policy 649 *Faculty Remediation, Sanctions, and Dismissal for Cause* (to be approved at the same time as this policy), Policy 650 *Faculty Separation Due to Cause* (currently in stage 1), and Policy 651 *Faculty Retirement and Resignation* (currently in stage 1). This policy (648) will remain the same minus the overlapping content in Policy 649.

2.0 REFERENCES

2.6 *Duties and Responsibilities of the President of a Degree-granting Institution of Higher Education—Approval by Board of Trustees, Utah Code § 53B-2-106.1*

3.0 DEFINITIONS

4.0 POLICY

4.6 Personnel Reduction

4.6.1 Termination of faculty services to Utah Valley University may occur for one of the following reasons:

1) A faculty member is terminated during the probationary appointment at the end of a contract period by administrative action in accordance with the academic tenure policies.

2) A faculty member with tenure is terminated for cause as determined by the President. Confidentiality is to be observed.



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3) A faculty member initiates the termination by resigning from the position.

4) A faculty member exercises retirement.

~~4.6.2 Appointment to a tenured position is considered permanent and not subject to termination or substantial reduction in status, except under those circumstances discussed herein.~~

4.2 Resignations and Retirement

~~4.2.1 Resignation. The decision to resign shall be submitted in writing by the faculty member to the immediate supervisor at the earliest feasible date.~~

~~4.2.2 Retirement. The decision to retire shall be submitted in accordance with the University retirement policy. In order to facilitate continued operation of the program, written notification of intention to resign or retire shall be considered binding if not rescinded by the faculty member in writing within five working days of the date of submission. The immediate supervisor shall advise the President through normal administrative channels of such a decision.~~

4.3 Discontinuance of Tenure Track Faculty

~~4.3.1 During the tenure-track period, advance notice of non-reappointment of non-tenured faculty should be given in writing from the appropriate dean in accordance with the following standards:~~

~~4.3.1.1 During the first academic year of a one-year appointment: If the appointment expires at the end of the academic year, notice of discontinuance shall be given no later than March 1 of the first academic year of service; or, if the one-year appointment terminates during an academic year, notice should be given at least three months in advance of termination.~~

~~4.3.1.2 During the second academic year of a two-year appointment: If the appointment expires at the end of the second academic year of service, notice of discontinuance shall be given no later than December 15; or, if an initial two-year appointment terminates during an academic year, notice should be given at least six months in advance of termination.~~

~~4.3.1.3 After two or more years: Notice of discontinuance shall be given not fewer than six months before the expiration of an appointment after two or more years in the institution.~~

~~4.3.2 Procedural due process. If a tenure track faculty member alleges that discontinuance is based on discriminatory or prejudicial treatment in violation of their constitutional or statutory rights, the faculty member shall be accorded the procedural due process provided in this section. The petitioning faculty member shall have the burden of introducing competent evidence to the Provost/Senior Vice President of Academic Affairs sufficient to support a decision that the non-renewal or reduction was based on discriminatory, prejudicial facts and reasons. Review on~~



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~~appeal shall be limited to a determination of whether the nonprejudicial, nondiscriminatory requirements have been met.~~

4.5 Termination for Medical Reasons—

~~4.5.1 A tenured faculty member may be dismissed or given a contract with substantially reduced status if medical incapacity prevents the faculty member from performing usual duties and responsibilities.~~

~~4.5.2 Allegation. Proceedings to terminate or to give substantially reduced status to a faculty member for medical reasons shall be initiated by a written statement alleging medical incapacity made to the President or designee, by the faculty member's dean, department chairperson, or supervisor. The faculty member shall be notified in writing of the allegation and informed of the right to a conference.~~

~~4.5.3 Physical examination. In such cases the faculty member shall be informed of the right to be examined (at university expense) by two physicians. One physical shall be chosen by the faculty member and the other physician shall be chosen by the University.~~

~~4.5.4 Examination concurrence. Should both examining physicians concur as to the absence of such medical incapacity, no further action shall be taken.~~

~~4.5.5 Examination refusal. If the faculty member refuses to submit to medical examination, or if the complaint of medical incapacity cannot be resolved by administrative disposition during an informal, conciliatory meeting, a written formal charge shall be prepared and submitted to the president of the Faculty Senate who shall convene an ad hoc committee; and a formal hearing procedure shall be initiated.~~

~~4.5.6 Decision. The Faculty Senate ad hoc committee may recommend extended suspension or involuntary early retirement. The committee may also recommend, in those cases where the duration of medical incapacity is expected to be relatively short, that the faculty member be only temporarily replaced or be given priority for possible rehire.~~



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4.6 Termination of Tenured Faculty for University Reasons

4.6.1 Financial exigency. (See UVU Policy 373 *Bona Fide Financial Exigency and Personnel Reduction*.)

4.6.2 Program or unit discontinuation. A tenured faculty member may be dismissed or given a contract with or without substantially reduced status in the event of a bona fide discontinuance of a program or department of instruction.

4.6.3 Conciliatory Actions

4.6.3.1 Notification. When a faculty member with tenure is terminated or given a renewal contract with a substantially reduced status because of bona fide discontinuance of a program, a department of instruction, or other equivalent tenure-granting academic subdivision, they shall be notified no later than March 30 of the previous contract year and the University must pay the tenured faculty member severance in accordance with the terms of their employment contract. After that date, the faculty member's contract shall be renewed at a salary rate not less than their current contract or the faculty member shall be given severance pay equal to their current contract salary in lieu thereof.

4.6.3.2 Reassignment. At the time it is preparing and implementing a plan for personnel reduction, the University shall make a good faith effort to reassign any faculty member to be laid off to an existing vacant position within the University for which the faculty or staff member is qualified. A tenured faculty member who is not dismissed and who is appropriately qualified has the right to displace a non-tenured faculty member from their position. The reassignment of faculty, including decisions regarding salary, and other rights in the new assignment, shall be negotiated by the dean and the department chairperson with the participation of the faculty of the program to which the proposed reassignment is to be made. Reassigned faculty with tenure carry that tenure to the new program.

4.6.4 Appeals rights. Unless otherwise required by law or regulation, the University's grievance procedure shall not delay the effective date of the layoff (see UVU Policy 646 *Faculty Appeals for Retention, Tenure, and Promotion*).

4.6.5 Reinstatement Rights

4.6.5.1 For tenured faculty. In cases of layoff of tenured faculty members, the position concerned may not be filled by replacement within a period of three years from the effective date of the layoff unless the tenured faculty member has been offered a return to employment in that position and has not accepted the offer within 30 calendar days after the offer was extended.

4.6.5.2 For non-tenured faculty. Except as provided in section 4.6.3.2 (giving a tenured faculty member to be laid off the right to displace a non-tenured faculty member), in the case of a



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position from which a non-tenured faculty member has been laid off, the position concerned may not be filled by replacement within a period of one year from the effective date of the layoff unless that position has been offered to the following persons who were laid off, who are qualified therefore, and who have not theretofore been rehired: first, tenured faculty members; second, non-tenured faculty members. Each such offer must be accepted within 30 calendar days after the offer is extended before being offered to anyone else.

4.6.5.3 For reinstated faculty. A faculty member who has been laid off and who accepts reinstatement in the same position shall resume the rank and tenure status held at the time of layoff, be credited with any sick leave accrued prior to the date of layoff, and be paid a salary commensurate with the rank and length of previous service.

5.0 PROCEDURES

POLICY HISTORY		
Date of Last Formal Review: Click here to enter a date.		
Due Date of Next Review: Click here to enter a date.		
Date of Last Action	Action Taken	Authorizing Entity
April 15, 2010	Regular policy approved.	UVU Board of Trustees
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April 25, 2024	Compliance change mandated by HB 438, Utah Legislature.	UVU President's Council
May 6, 2024	Compliance change ratified.	UVU Board of Trustees
March 20, 2025	6-month extension of temporary policy; new expiration date is 10/25/2025.	UVU Board of Trustees



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POLICY 648 EXECUTIVE SUMMARY

Policy Number and Title: 648 Faculty Personnel Reduction

Date:	Click here to select the date.
Sponsor:	Wayne Vaught
Steward(s):	Kat Brown
Policy Process:	Regular
Policy Action:	Revision
Policy Office Editor:	Cara O'Sullivan
Embedded Attorney:	Click here to enter the name of the embedded attorney.

Issues/Concerns (including fiscal, legal, and compliance impact):

Policy 648 is already open for revision under the regular policy process. Academic Affairs proposes making limited scope revisions to this policy (648) through the temporary emergency process, so it does not contradict the proposed revised policy, Policy 649 *Faculty Remediation, Sanction, and Dismissal Due to Cause*.

Suggested Changes: Delete the entire section and references related to faculty remediation, sanctions, and dismissal, that will be covered by the proposed Policy 649.

Requested Approval from President's Council: [Click here to choose the appropriate approval.](#)

Proposed Drafting Committee: [Click here to enter the names of the proposed members of the policy drafting committee.](#)

Target Date for Stage 1 Draft to Enter Stage 2: [Click here to enter a date.](#)

Target Date for Board of Trustees Review: [Click here to enter a date.](#)