POLICY TITLE	Faculty Personnel Reduction	**Policy Number**	648
Section	Academics	**Approval Date**	June 23, 2026
Subsection	Faculty	**Effective Date**	June 23, 2026
Responsible Office	Office of the Provost/Senior Vice President of Academic Affairs	**Last Review**	June 23, 2026

1.0 PURPOSE

1.1 This policy lays out 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 outlines the responsibilities the University has for faculty who may be separated from the University due to program discontinuation. 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 *Boni 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 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 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.

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.

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.

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 Office of Academic Affairs, and the appropriate deans and department chairs 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 the program or unit discontinuation is due to financial exigency, that decision is not subject to contest by faculty in any grievance or appeal procedure within the institution or before the Board. (See UVU Policy 373 *Bona Fide Financial Exigency and Human Resources Reduction*).

5.2.2 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.)

5.2.3 If a faculty member is laid off under section 4.4.1 Program or Unit Discontinuation, and decides to appeal that decision, they must file a formal written appeal to the Provost within thirty days of receipt of the termination notice. The faculty member's written appeal should state, as precisely as possible, the grounds for the appeal (see 5.2.6).

5.2.4 The Provost shall review the appeal and provide their recommendation, and then forward both to the President.

5.2.5 The President shall review the appeal and the Provost's recommendation and determine whether the layoff violated the faculty member's academic freedom or constitutional rights, or the Board of Trustees' approved plan. The President will communicate their decision as soon as practicable.

5.2.6 An affected faculty member may contest a layoff only for (a) violation of their academic freedom or constitutional rights, or (b) failure to comply with this policy, with related institutional policy, or with the plan for personnel reduction approved by the Board of Trustees.

POLICY HISTORY		
Date of Last Formal Review: June 23, 2026		
Due Date of Next Review: June 23, 2031		
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
June 23, 2026	Revisions approved through regular policy process.	UVU Board of Trustees