ACTION ITEM: Revision of *Policy on Administrative Separation and/or Retreat to a Faculty Position*

BACKGROUND INFORMATION:

By action of the UNC Board of Governors on May 2, 2010, UNC Policy 300.1.6[R], titled “Regulation on Administrative Separation,” was updated and made applicable to all UNC System administrators hired on or after that date.

The UNCG Policy on Administrative Separation and/or Retreat to a Faculty Position has therefore been revised to confirm that it applies to employees who were hired into a covered administrative position prior to May 2, 2010.

UNCG’s policy has also been modified, as required, to comply with two other provisions of the updated Board of Governors’ policy, as follows:

1) The revision clarifies that leave payouts will be processed at the time the employee vacates the administrative position. It was also clarified that the research leave time is a benefits-earning period with the exception of leave accrual. This change helps streamline processes and ultimately benefits the employee.

2) Text referring to repayment of compensation has been added. “In the event that the faculty member does not assume faculty responsibilities for at least a semester after the research leave in accordance with this policy, the faculty member shall be required to reimburse UNCG for the compensation paid to the faculty member during the leave period. In rare cases when the Chancellor deems exceptional circumstances to exist, the Chancellor may, at his or her discretion, waive the requirement for repayment of compensation from a non-returning faculty member. The Administrative Separation and /or Retreat to a Faculty Position Signature Form is used to acknowledge the understanding of this obligation.”
RECOMMENDED ACTION:

That the Board of Trustees of The University of North Carolina at Greensboro approve the updates to the UNCG Policy on Administrative Separation and/or Retreat to a Faculty Position.

David H. Perrin
Provost and Executive Vice Chancellor

Attachments
POLICY ON ADMINISTRATIVE SEPARATION AND/OR RETREAT TO A FACULTY POSITION
THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO

http://provost.uncg.edu/documents/personnel/retreat.pdf

Adopted by the Board of Trustees, November 6, 2003;
Amended by the Board of Trustees, November 3, 2005;
Approved by the President, January 28, 2004;
Approved by the Board of Trustees, XXXXX;

I. Applicability

This policy applies to all EPA administrative employees (EPA Nonfaculty and Senior Academic & Administrative Officers), regardless of one’s faculty status, and covers both voluntary and involuntary relinquishment of administrative positions.

This policy applies to all covered administrators who leave their administrative position on or after January 28, 2004 and who were hired as administrators prior to May 2, 2010. Administrators hired on or after May 2, 2010 are governed by UNC Policy 300.1.6[R] (amended 5/2/10). Any employment agreement entered into with a covered administrator must be consistent with the terms of this policy or UNC Policy 300.1.6[R] (amended 5/2/10), whichever applies. All agreements made pursuant to this policy or UNC Policy 300.1.6[R] (amended 5/2/10) must be in writing and signed by both the employee and the Chancellor or Chancellor’s designee.

II. Retreat to a Tenured Faculty Position

An administrator who holds a concurrent tenured faculty appointment may return to that appointment with all the rights and responsibilities of faculty in the home academic department, unless a proceeding is initiated to discharge or demote the administrator from the faculty position. Leave payouts would be processed when administrative position vacated, and if there has been an administrative stipend during the appointment, that stipend will 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. At the Chancellor’s discretion, the Chancellor may provide for a reasonable period of time, during which time the employee is eligible for benefits with the exception of accruing leave, with full administrative salary to provide an opportunity for the employee to prepare for teaching and research responsibilities. The reasonable period of time should be related to the time spent in administrative duties. If a dean or provost/vice-chancellor serves at least a minimum of five years in senior administrative position(s) at the University, he/she could receive an academic semester with full administrative pay to prepare for teaching and research responsibilities. If a dean or provost/vice-chancellor serves a minimum of nine years in senior administrative position(s) at the University, he/she could receive an academic year with full administrative pay to prepare for teaching and research responsibilities. If the Chancellor proposes to pay the administrator full or partial administrative pay for longer than one year after the termination of the administrator’s administrative duties, the agreement must be approved by the Board of Trustees.
In the event that the faculty member does not assume faculty responsibilities for at least a semester after the research leave in accordance with this policy, the faculty member shall be required to reimburse UNCG for the compensation paid to the faculty member during the leave period. In rare cases when the Chancellor deems exceptional circumstances to exist, the Chancellor may, at his or her discretion, waive the requirement for repayment of compensation from a non-returning faculty member. The Administrative Separation and/or Retreat to a Faculty Position Signature Form is used to acknowledge the understanding of this obligation.

III. Retreat to an Administrative or Non-tenured Teaching Position

An untenured employee leaving an EPA position that is categorized as “at will” has no claim to a position at the University. There may, however, be circumstances in which the Chancellor determines that assignment to another administrative or teaching position would be beneficial for both the University and the employee. In these cases, the new salary should be appropriate to the new assignment. If the Chancellor proposes to pay the administrator his or her full administrative salary after moving the administrator to a position that would normally be lower paying, or if paid leave is to be granted, the agreement with the administrator must be approved by the Board of Trustees. This policy does not supersede any notice or severance pay required by Board of Governors’ policy.

IV. Separation from the University

In some cases, it may be in the best interests of the University to negotiate a severance agreement with an administrator in lieu of providing notice as required by Board of Governors’ policy. UNC policy addresses timely notice for termination of Senior Academic and Administrative Officers hired pursuant to Policy 300.1.1, I.B. In accordance with The University of North Carolina Policy 300.1.1, III.B, in certain circumstances these employees are entitled to notice of the discontinuation of their employment with full pay for up to 90 days or severance pay, depending on their length of service. The Chancellor may, at his or her discretion, determine that the circumstances justify continuing full pay for employees subject to Policy 300.1.1.I.A for up to 90 days. Any agreement that results in a longer period of compensation must be approved by the Board of Trustees.

V. 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.
This form is for use by eligible administrative employees at UNCG who hold a concurrent tenured faculty appointment, wish to retreat from the administrative position to the tenured faculty appointment, and have been granted by the Chancellor a research leave of one academic semester or one academic year with full administrative pay for the purpose of preparing for teaching and research responsibilities.

The purpose of this form is to ensure that the eligible employees understand the relevant process and the UNCG policy by which it is governed (see UNCG’s Policy on Administrative Separation and/or Retreat to a Faculty Position). This form must be completed before one leaves the administrative position to begin the research leave devoted to one’s preparation for teaching and research responsibilities.

Questions about this form or the guiding policy may be addressed to the Vice Provost at 334-5494.

I, ___________________________ am retreating from an eligible administrative position to a concurrent tenured faculty appointment. I have read and understand the UNCG Policy on Administrative Separation and/or Retreat to a Faculty Position.

Further, in the event that I, the faculty member, do not assume faculty responsibilities for at least a semester after the research leave in accordance with this policy, I shall be required to reimburse UNCG for the compensation paid to me during the leave period. I understand that in rare cases when the Chancellor deems exceptional circumstances to exist, the Chancellor may, at his or her discretion, waive the requirement for repayment of compensation from a non-returning faculty member. I acknowledge the understanding of this obligation.

Title & Department of Faculty Position
Title of Administrative Position Being Vacated

Printed Name of Employee

Employee Signature Date

Department Head or Dean Signature Date

Provost Signature Date

A signed copy of this form shall remain in the employee file in EPA-HR, in the Office of the Provost.

Date XXXXXXX