



Nonreappointment, Termination, Suspension, Dismissal and Resignation

I. Termination, Dismissal for Cause, Nonreappointment, and Denial of Promotion or Award of Tenure

A. Dismissal for Cause, and Termination

The Laws of the Regents establish a provision for the dismissal of faculty members on the grounds of demonstrable profession incompetence, neglect of duty, insubordination, conviction of a felony, or any offense involving moral turpitude upon a plea or a verdict of guilty or following a plea of nolo contendere, or sexual harrassment, or other conduct which falls below minimum standards of profession integrity. The Laws of the Regents include provisions for notification to the faculty member and referral to the Committee on Privilege and Tenure.

- [LOR: Dismissal \(Subsection 5.C, Laws of the Regents\)](#) ^[1]
- [LOR: Dismissal for Cause Provisions \(Subsection 5.C.2, Laws of the Regents\)](#) ^[1]
- [LOR: Faculty Senate Grievance Process \(Subsection 5.C.3, Laws of the Regents\)](#) ^[1]

B. AAUP Statement on Termination and Dismissal

The Board of Regents adopted sections of AAUP's "1940 Statement of Principles on Academic Freedom and Tenure" referring to tenure of faculty members. Effective October, 1984, all testimony presented at hearings shall be recorded on tape. See "Panel Procedures for Processing Cases - - University Committee on Privilege and Tenure."

- [Promotion and Tenure Grievance Procedure: Bylaws of the Faculty Senate, II.D.1.e.1\(b\)](#) ^[2]

C. Nonreappointment, Denial of Promotion or Tenure

The Laws of the Regents establish provisions for grievances and the role of the Committee on Privilege and Tenure. Prerogatives for review by the Senate Committee on Privilege and Tenure are contained in the Standards, Processes and Procedures Document. (Note: For a related discussion on grievances see Four-V, Grievances.)

- [APS: Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion \(formerly known as Appendix A, Laws of the Regents\)](#) [3]

II. Termination for Reasons of Program Discontinuance

A. General Policy

The Regents established provisions for termination of faculty for the reasons of program discontinuance.

- [APS: Implementing Program Discontinuance](#) [4]

Policies for program discontinuance are set forth in Administrative Policy Statement "Implementing Program Discontinuance." This APS identifies the policies used by the University to arrive at an internally initiated decision to close a program. Regent policy, "Program Discontinuance," forms the basis for the APS.

Administrative Policy Statement "Program Discontinuance When No Tenured or Tenure-track Faculty Face Dismissal," sets forth an abbreviated process for discontinuing degree programs when no tenured or tenure-track faculty face dismissal.

The Laws of the Regents establish provisions for termination of faculty for the reasons of program discontinuance.

- [APS: Implementing Program Discontinuance](#) [4]
- [APS: Program Discontinuance When No Tenured or Tenure-Track Faculty Face Dismissal](#) [5]
- [Regent Policy: Program Discontinuance \(4-H\)](#) [6]
- [LOR: Terms of Appointment \(Subsection 5.B.2\(A\), Laws of the Regents\)](#) [1]

III. Termination of Non-Tenure-track Faculty Who are Employees-At-Will

The appointment of a faculty member who is an employee-at-will is terminable by either the

faculty member or the University at any time. Employee-at-will provisions apply to all faculty except tenured, tenure-track and specialty track faculty members whose primary job assignment is clinical care. (For a related discussion of tenured faculty, tenure-track faculty and non-tenure-track faculty see Part Three, Section I.)

State law requires that any employment contract for an at-will employee must contain terms that clearly state the at-will nature of the employment and that describe other provisions of the statute as they may be amended from time to time.

- CRS: Terms of Employment Contracts - Public Inspection (CRS §24-19-104); [7]
- Exceptions (CRS §24-19-108) [8]

Source URL: <http://www.cu.edu/office-academic-affairs/nonreappointment-termination-suspension-dismissal-and-resignation>

Links:

[1] <http://www.cu.edu/regents/article-5-faculty>

[2] <http://www.cu.edu/faculty-council/laws/section-ii-faculty-senate>

[3] <http://www.cu.edu/ope/policy/aps-1022-standards-processes-and-procedures-comprehensive-review-tenure-and-promotion>

[4] <http://www.cu.edu/ope/policy/aps-1015-implementing-program-discontinuance>

[5] <http://www.cu.edu/ope/policy/aps-1010-program-discontinuance-when-no-tenured-or-tenure-track-faculty-face-dismissal>

[6] <http://www.cu.edu/regents/policy-4h-program-discontinuance>

[7] http://www.state.co.us/gov_dir/leg_dir/olls/sl1996/sl_180.htm

[8] <http://www.lexisnexis.com/hottopics/michie/>