

## At-Will Employment

**Original Implementation:** July 15, 2003

**Last Revision:** April 24, 2018

The following exempt, academic, and non-academic employees serve at the discretion of the university and are considered at-will employees whose employment may be terminated with or without cause at any time by the university or the employee:

- All positions reporting to the Board of Regents including but not limited to the president, general counsel, director of audit services, and coordinator of board affairs;
- All vice presidents/provost;
- All associate vice presidents/associate provost;
- All deans including associate deans;
- All directors, associate directors, and assistant directors;
- All department heads and chairs;
- All coaches;
- All charter school teachers;
- All attorneys and auditors;
- All grant funded positions;
- All temporary staff employees.

Any appointment included in this list which is filled by a tenured employee will not affect the employee's tenure status. Tenured employees removed from administrative assignments under this policy may be reassigned to a faculty position.

The university may choose to reassign an at-will employee under this policy, but such reassignment is not guaranteed. Additionally, the university will endeavor to give a terminated employee under this policy a 30-day notice, although notice is not required.

Any decision to terminate an at-will employee must be reviewed by the general counsel and/or the director of human resources for legal considerations. Termination of at-will employees below the vice president level must be approved by the appropriate vice president and reported to the president and Board of Regents (unless the termination is by the president or Board of Regents). The Board of Regents must approve termination of at-will employees at the vice president level or above. All such employees will be given an opportunity to resign in lieu of at-will termination, unless the termination is clearly for cause. The terms of resignation must be approved by the same process outlined for termination above, including legal review by the general counsel and/or the director of human resources.

In regards to this policy and the employee's completion of the 180-day probationary period,

there is no contradiction. The 180-day probationary period is the designated time frame for the new employee to demonstrate their capability to perform their job tasks in a satisfactory manner. The completion of this evaluation period does not convey a permanent status to employees listed in this policy, and it does not negate the at-will status for either employee or employer.

Any agreements that in any way modify this policy must be made in writing and must contain the signature of the president, appropriate vice president, and the university Board of Regents.

**Cross Reference:** None

**Responsible for Implementation:** President

**Contact for Revision:** General Counsel

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs