



Financial Exigency

Purpose

This policy will govern the discontinuance of a program or academic unit for reasons other than financial exigency.

Persons Affected

This policy applies to all SFASU employees, faculty, and staff.

Definitions

Financial exigency: an imminent financial crisis that threatens the continuation of a strong academic program and that cannot be alleviated by less stringent means. (i.e.,).

Policy

The responsibility for demonstrating the existence and extent of a financial exigency rests with the administration. Termination of an appointment with tenure, or of a probationary or special appointment before the end of the specified term, may occur under extraordinary circumstances because of bona fide financial exigency. Before terminating an appointment because of financial exigency, the appropriate university administrator, with faculty participation, shall make every reasonable effort to place the faculty member concerned in another position within the university for which the individual is professionally qualified.

If the university, because of financial exigency, terminates appointments with tenure, or probationary or special appointments before the end of the specified term, it will not at the same time make new appointments in the same academic unit except in circumstances where a serious distortion of the academic program would otherwise result. Employment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure within the same academic unit, except in circumstances where a serious distortion of the academic program would otherwise result.

In each case of termination of an appointment with tenure because of financial exigency, the vacancy will not be filled by a replacement within a period of two calendar years, unless the released faculty member has been offered reinstatement and at least sixty (60) days in which to accept or decline.

A probationary faculty member whose appointment is terminated because of financial exigency shall be given appropriate notice as prescribed in SFA HOP 02-321 Tenure and Continued Employment. A tenured faculty member shall be given notice at least twelve months prior to termination of appointment.

A faculty member whose appointment is terminated because of financial exigency, and who alleges abridgement of constitutional guarantees or academic freedom, shall be afforded due process.



A faculty member who alleges discrimination or abridgement of constitutional guarantees or academic freedom will be afforded due process.

Related Statutes or Regulations, Rules, Policies, or Standards

Regents' *Rules and Regulations*, Rule 31003, Abandonment of Academic Positions or Programs

SFA HOP 02-210 Discontinuance of Program or Academic Unit

SFA HOP 02-320 Tenure and Continued Employment

SFA HOP 03-211 Reduction in Force of Staff and Non-Tenure Track Employees

Responsible Executive

President

Forms

None

Revision History

September 1, 2023 (original)