

# THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

## FACULTY SEPARATION

<b><u>Number</u></b>	02.01.04
<b><u>Division</u></b>	Academic Affairs
<b><u>Date</u></b>	February 2015
<b><u>Purpose</u></b>	This policy addresses faculty separation from UAH as a result of resignation, termination, dismissal, and death. This policy does not include faculty who have retired or transferred to Emeritus Status.
<b><u>Policy</u></b>	This policy establishes the process and procedures for the handling of contracts and grants, discretionary accounts, and dispensation of university property including office and laboratory space for faculty who have separated from the university. This policy does not include the procedures for termination or dismissal.
<b><u>Procedures</u></b>	<ol style="list-style-type: none"><li>1. In the case of resignation, the faculty member writes an official, signed letter addressed to the Department Chair, stating the date of planned resignation. Normally, this letter should be received by the Department Chair at least 30 calendar days prior to the planned date of separation.</li><li>2. Upon receipt of the official letter from the faculty member, the Department Chair writes an official letter of acceptance. At a minimum, this letter includes a statement "I accept your resignation effective xx/xx/xxxx." This statement may be handwritten on the letter received from the faculty member, signed and dated by the Department Chair, and forwarded to the Dean of the College. The Dean writes a similar letter of acceptance.</li><li>3. All original letters of resignation and their acceptance are retained by the Dean's office.</li><li>4. A copy of the signed letter of acceptance by the Dean of the College is forwarded to the faculty member, other Departments, Deans, and Center Directors where there are concurrent appointments, including zero time appointments, and to the Office of the Provost. When the letter is accepted by the Provost, the resignation is final and cannot be retracted by the faculty member.</li></ol>

A formal letter of acceptance by UAH is sent to the faculty member by the Office of the Dean, whenever possible, at least 14 calendar days prior to the effective date of separation, with copies sent to and retained by the Offices of Academic Affairs, College Dean, and Department Chair.

5. Termination occurs as a result of (a) non-reappointment of a tenure-track or non-tenure-track faculty member, or (b) a negative decision on tenure review for a tenure-track faculty member. For non-tenure-track faculty members, the period of appointment is stated in the appointment letter with annual renewals and annual renewal dependent upon performance, the availability of funding, and the needs of the unit. For tenure-track faculty members, the faculty member is appointed for a final terminal period in accordance with the *UAH Faculty Handbook*.
6. A tenure-track faculty member who has received notification of non-appointment or a negative tenure decision in their penultimate year cannot apply or reapply, respectively, for tenure consideration. If the faculty chooses to initiate a grievance review, the remainder of the separation steps are suspended until the completion of the grievance review.
7. A faculty member may resign prior to completion of the terminal appointment period. In this case, the procedure for resignation is followed. For a faculty member completing the entire terminal period, no additional documentation is required.
8. Termination may occur for cause. In this case, direction from the Office of Counsel and from the Provost shall be sought by the Dean, and Department Chair, provided there is no conflict of interest for either, related to the handing of contract and grants, discretionary accounts, and dispensation of university property including office and laboratory space.
9. Separation as a result of death should be addressed taking into account family circumstances. All relevant Chairs/Deans/Center Directors and Provost must be notified by the Chair of the deceased faculty member's home department.
10. Following the Dean's acceptance of the letter of resignation, or just prior to completion of a terminal appointment period, or receipt of formal notice of date of death, the Human Resources process of formal separation must be initiated.

## Contracts, Grants, and Data

1. In the case of expired contracts and grants in which the faculty member is listed as the principal investigator (PI), it is the responsibility of the principal investigator to ensure that all contract and grant requirements have been completed prior to leaving the university. It is incumbent upon the separating faculty member to provide information regarding any outstanding requirements to the Dean within seven (7) calendar days of submitting a letter of resignation. Any outstanding agency reports or obligations must be identified by the Dean in consultation with the Office of Sponsored Programs (OSP) and the Vice President for Research and Economic Development (VPRED). If any requirements are outstanding and cannot be completed in the time remaining to the faculty member, individuals subsequently responsible for these reports must be identified in writing by the Dean and VPRED.
2. In the case of continuing (i.e., past the date of separation) contracts and grants in which the faculty member is listed as PI, the Vice President for Research and Economic Development will make the following determination:
  - a. transfer the remaining balance on contracts and grants and the associated terms to the faculty member's new employer (when requested and applicable) subject to agency approval, or
  - b. identify and assign an alternate PI in consultation with the Department Chair and Dean to enable UAH to complete the terms of the contract or grant, subject to agency approval.
3. UAH is responsible for all research or sponsored project data even after faculty separation. Upon separation, faculty as PI's may be allowed to retain copies of the original data consistent with the principles of academic freedom and management of intellectual property. Any such request must be negotiated with the Department Chair with approval by the Dean and VPRED, subject to any agency approval. Examples of data include, but are not limited to, electronic and other versions of field

notebooks, laboratory records, research reports, human subject consent forms, photographs, scans, images, etc.

#### PI /Discretionary/Residual/Startup Accounts

1. Any fiscal or other authority over these funds ceases, following separation from UAH, except as noted below. When a notice of resignation or non-reappointment is received by the Department Chair, any subsequent expenditures from these accounts until the date of formal separation will require the Department Chair's and Dean's approval.
2. Funding to help support any UAH graduate or undergraduate student—who is on track to graduate with a degree from UAH, previously supervised by the PI and continuing to perform research in the PI's area—and expenditures in connection with the research activity carried out by these individuals must be carefully considered, and funds from these accounts may be used to support these activities, with the approval of the Department Chair and Dean.
3. Funds remaining in the faculty member's start-up account will be transferred back to the appropriate entity providing the funds. Funds remaining in PI/Discretionary/Residual accounts are transferred to the College immediately following separation. Any encumbrances at the time of separation should be clearly identified and suitable arrangements made by the Department Chair with approval from the Dean.

#### Office, Laboratory Space, Other University Property

1. The separating faculty member's office space, laboratory space, and university property in these spaces returns to the purview of UAH immediately following separation, except under circumstances noted below. The Dean and VPRED (in the case of space and/or property involving research centers) are responsible for all reassignments, consistent with any external agency terms and contracts pertaining to equipment acquired.
2. Upon separation, the faculty member shall vacate all office and laboratory space. All personal items are expected to be removed, while all university property including computers, furniture, etc., must remain. A request for additional time to

complete this process may be made by the faculty member in a letter to the Department Chair and Dean, but this time period shall not exceed 30 days from the date of separation. Any exceptions will require approval in writing from the Provost. In the event of a faculty member's death, the Department Chair and Dean will work with the family regarding a suitable timeframe.

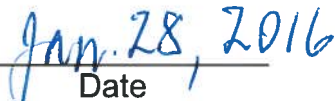
3. All equipment property acquired by the PI during his/her employment at UAH using State funds will remain as UAH property.
4. Equipment acquired via contracts and grants and properly tagged must be clearly identified and an inventory reported to the Department Chair and Dean by the separating faculty member, within seven (7) calendar days of submitting a letter of resignation. Normally these items belong to the University and/or the contracting agency as stipulated in the terms and conditions. Upon request in writing to the VPRED, some or all such equipment may be transferred to the PI's future employer, subject to the VPRED's and agency approval, and as permitted by Alabama law.

**Review**

Academic Affairs will review this policy every five years or sooner as needed.

**Approval**

  
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Chief University Counsel

  
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Date

Christine W. Curtis  
Provost and Executive Vice President  
for Academic Affairs

January 5, 2016  
Date

APPROVED:

Robert A. Altshuler  
President

1/11/16  
Date