

[Applies to individuals who began service in a covered position on or after May 2, 2010]

Regulation on Administrative Separation

1. Administrative Separation and Return to a Tenured Faculty Position.¹
 - a. Return 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 department unless a proceeding is initiated to discharge or demote the tenured faculty member. If there has been an administrative stipend during the appointment, that stipend shall be removed. The salary shall 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.
 - b. Scholarly Leave. At the discretion of the Chancellor, or the President in the case of a UNC System Office employee, the Chancellor or President may provide for up to a one semester Scholarly Leave for any tenured faculty member who has served in one or more consecutive Senior Academic and Administrative Officer (SAAO) or Exempt Professional Staff (EPS) positions subject to Policy 300.1.1, I.A for at least five years in order to provide an opportunity for the faculty member to prepare for teaching and research responsibilities. Prior to the beginning of the Scholarly Leave, the administrator shall submit a work plan for the leave period to include expected outcomes. The plan will be reviewed and approved by the Chancellor. In the event that an employee of the UNC System Office is returning to the faculty of a constituent institution, the President shall review and approve the work plan. The leave will be paid at a salary commensurate with the salaries of comparable faculty members.
 - c. Exception Provision. Exceptions may be made to recognize extraordinary circumstances including, but not limited to, extended or superior service in administrative roles. Any exception to these provisions must be approved by the Board of Trustees and by the President.
 - d. Failure to Return to Faculty Role. In the event that the faculty member does not assume faculty responsibilities for at least a semester after the Scholarly Leave in accordance with this policy, the Chancellor, or the President in the case of the UNC System Office employee, is authorized, in their discretion, to require repayment of compensation paid during the leave period from the non-returning faculty member. For the avoidance of doubt, such a failure to return to a faculty role shall be deemed a voluntary resignation from employment with no right of appeal notwithstanding the provisions of Chapter VI, Section 603, *The Code*.
2. Appointment of an Administrator without Faculty Return Rights. An administrator leaving a position that is categorized as "at will" and who does not have contractual faculty retreat rights has no claim to a position at the university; however, there may be circumstances in which assignment to another administrative or teaching position would be beneficial for both the institution and the employee. In these

cases, the new salary should be appropriate to the assignment. Any exception must be approved by the Board of Trustees and by the President. This Regulation does not supersede any notice or severance pay required by Board of Governors policy.

3. Separation from the University. In some cases, it may be in the best interests of the institution to negotiate a severance agreement with an administrator. UNC policy addresses timely notice for termination of Senior Academic and Administrative Officers and Exempt Professional Staff hired pursuant to *Policy 300.1.1*. 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. A Chancellor or the President may, at their discretion, determine that the circumstances justify continuing full pay for employees subject to *Policy 300.1.1* for up to 90 days. Any agreement that results in a longer period of compensation must be approved by the Board of Trustees, or by the Board of Governors for employees of the UNC System Office.

4. Retirement. Nothing in these Regulations shall prevent a tenured faculty member from immediately participating in phased retirement, consistent with existing UNC policies.

5. Coverage. These regulations apply to Senior Academic and Administrative Officers hired on or after the approval date. Employees serving as Senior Academic and Administrative Officers prior to the approval date remain covered under the previous regulations dated 03/21/03.

300.1.6[R]
Adopted 03/21/03

[Applies to individuals who began service in a covered position prior to May 2, 2010]

Regulation on Administrative Separation and/or Retreat to a Faculty

1. Retreat to a 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 department, unless a proceeding is initiated to discharge or demote the administrator from the faculty position. If there has been an administrative stipend during the appointment, that stipend should 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 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 the chancellor proposes to pay the administrator full or partial administrative pay after the termination of the administrator's administrative duties for longer than one year, the agreement must be approved by the Board of Trustees of the constituent institution.

2. Reappointment of an administrator without faculty retreat rights. An administrator leaving a position that is categorized as "at will" has no claim to a position at the university; however, there may be circumstances in which assignment to another administrative or teaching position would be beneficial for both the institution and the employee. In these cases, the new salary should be appropriate to the assignment. If a chancellor or the president proposes to pay the administrator their 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 of the

constituent institution or by the Board of Governors for employees of the Office of the President or the General Administration. This Guideline does not supersede any notice or severance pay required by Board of Governors' policy.

3. Separation from the University. In some cases, it may be in the best interests of the institution to negotiate a severance agreement with an administrator. UNC policy addresses timely notice for termination of Senior Administrative Academic 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. A chancellor or the president may, at their discretion, determine that the circumstances justify continuing full pay for employees subject to Policy 3001.1.I.A for up to 90 days. Any agreement that results in a longer period of compensation must be approved by the appropriate Board of Trustees or the Board of Governors for employees of the Office of the President or General Administration.

4. Retirement. Nothing in these guidelines 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.

¹Campuses that do not have tenured faculty positions will follow campus-based policies approved by the President that are consistent with the intent of this Regulation.