

Notice of Non-Reappointment (Unclassified Professional Staff and Academic Staff) FAQ

What is a notice of non-reappointment?

Unclassified professional and academic staff appointments are renewed on an annual basis at the beginning of each fiscal year, unless they have been specified at the time of appointment as limited term or unless a timely notice of non-reappointment has been provided. The non-reappointment letter provides the employee notice that University employment will no longer continue after a specified date.

What are some reasons for issuing a notice of non-reappointment?

A variety of reasons can be the cause for a notice of non-reappointment including budgetary constraints, shortage of either work or funds, a mismatch with the position's responsibilities, program discontinuance or reorientation, or in the best interest of the University.

How much notice is provided to an unclassified professional staff member before his or her appointment is ended and when are these actions made effective?

The Non-Reappointment of Unclassified Professional Staff policy states the following:

“The first three (3) years of service are considered a period during which notice must be given no later than May 17th for non-reappointment the following fiscal year or no later than 30 days prior to the end of the current appointment if appointment ends other than the last day of the fiscal year. After completion of the third full fiscal year, the individual must be provided notice no later than March 30th if he/she will not be reappointed the following fiscal year or no later than 150 days prior to the end of the current appointment if appointment ends other than the last day of the fiscal year.”

The effective date of non-reappointment is usually June 30 of the fiscal year if the position is not funded by grants or sponsored projects.

If an unclassified professional staff member is appointed to a limited- term position, to a position that is contingent upon available funding, or to a position which is “serve at the pleasure of,” or if the termination is a result of budgetary constraints, program discontinuance or reorientation, the staff member may be terminated without the usual notice period stated above.

How much notice is provided to an academic staff member before his or her appointment is ended and when are these actions made effective?

The Handbook for Faculty and Other Unclassified Staff, Section C.3.d. specifies the following for Academic Staff:

A notice of non-reappointment shall be sent at least three months in advance of the termination date for the first year of appointment, at least six months in advance for the second year of appointment, and at least one year in advance for any appointment within its third year or thereafter. Most academic staff appointments are made on a fiscal-year basis so the typical effective date would be June 30.

Positions designated as funded from externally supported grants and contracts, or positions that have been identified as contingent upon funding provide a bona fide cause for termination of appointment without the usual notice period. In the event that the termination is because of discontinuation or reorientation of a program, or termination at any time due to budgetary constraints, a notice of non-reappointment may be issued to terminate or reduce the FTE of an appointment without the usual notice period.

Who is authorized to issue a notice of non-reappointment for academic or unclassified professional staff?

Only the Chancellor, the Provost/Executive Vice Chancellor, Vice Provosts, Deans, or University Directors can issue a notice of non-reappointment for an academic or an unclassified professional staff position. Directors and Chairpersons are required to recommend a notice of non-reappointment to the administrators they report to for final approval before any action may be taken.

What appeal, if any, exists for this action?

The appeal that exists for notices of non-reappointment for **unclassified professional staff** must be based on a “violation of established procedure.” Unclassified professional staff who wish to appeal would utilize the “Conflict Resolution” procedures outlined in the Handbook for Faculty and Other Unclassified Staff, Section C.4.1 at the Provost Office website: <http://www.ku.edu/~provost/>.

For **unclassified academic staff**, the Handbook for Faculty and Other Unclassified Staff specifies the following appeal process:

“A staff member who asserts that a decision to give notice of non-reappointment has been produced by conditions that constitute a violation of established procedures of the University or the unit, and who has not succeeded in obtaining a favorable reassessment of that position through the channels, through which the original decision was made, is entitled to appeal. The Faculty [Rights Board] has exclusive jurisdiction over such an appeal. When hearing appeals from unclassified academic staff members, the committee or subcommittee handling the complaint will be augmented to include at least two members of the unclassified academic staff.”

What happens to my unused leave if my appointment is terminated through a notice of non-reappointment?

If you are not retirement eligible, any remaining accrued sick leave is forfeited. Any remaining accrued vacation leave will be paid with your last paycheck up to a maximum of 176 hours.

If you are retirement eligible, you will be paid for remaining accrued vacation leave up to a maximum of 240 hours. Sick leave payout upon retirement is based upon years of service and accumulation of hours. For more information, see http://www.hreo.ku.edu/benefits_pay/benefits_info/retirement_programs/retirement_benefits.

Non-exempt staff would also be paid for any remaining balance of compensatory time.

If I am retirement eligible, may I retire before the effective date of the notice of non-reappointment?

It would be the University’s decision as to whether or not the notice of non-reappointment would be cancelled, and your retirement accepted.

If I elect to resign upon receipt of a notice of non-reappointment, will I be eligible for unemployment benefits?

If you receive a notice of non-reappointment, you may be eligible for unemployment benefits. However, if a comparable position is offered and refused or if you resign, you may be ruled ineligible for unemployment compensation by the agency (State Department of Labor) that makes those determinations. Also, before resigning, you should contact the HR/EO Benefits Office (864-4946) for information about how your benefits will be affected. HR/EO Benefits can also provide information regarding COBRA coverage for continuation of health benefits as necessary.

What support does the department provide to the unclassified professional or academic staff who receives a notice of non-reappointment?

Different duties may be reassigned to unclassified professional staff during the notice period. You may be granted a reasonable amount of release time for interviews, as long as the time is pre-arranged with your supervisor and it does not create a hardship on the work unit.

The Handbook for Faculty and Other Unclassified Staff specifies for academic and/or unclassified professional staff who are non-reappointed due to the discontinuance or reorientation of a program, or due to budgetary constraints, the appropriate budgetary unit and HR/EO will assist affected staff members in seeking transfer to other budgetary units of the University, other state agencies, or in identifying other employment opportunities.

What support can HR/EO provide to employees facing a loss of job through the non-reappointment process?

HR/EO staff, Kathleen Ames-Oliver (864-7413) and Terry Proctor (864-7412), can provide information to staff wanting help with change and stress management. For those preferring to seek professional, certified counseling, LIFELINE is available to you and your family through the last day of the month in which you work. LIFELINE counselors are available for contact on a 24-hour basis by calling 1-800-284-7575.

Lynn George (864-3686), Sarah Campbell (864-7418), and Cindy Nitcher (864-2256) can provide assistance with the job search process, including resume writing and interview coaching.

The HR/EO Benefits Office (864-4946) can provide information regarding how your benefits will be impacted when employment ends.

Additional information can be found at:

http://www.hreo.ku.edu/policies_procedures/termination/ups_non_reappointment.