



Cornell University
Office of the Vice Provost

John Siliciano
Vice Provost
433 Day Hall
Ithaca, New York 14853-2801
t. 607.255.3062
f. 607.255.2990
jas83@cornell.edu

Date: March 24, 2009

To: Academic Deans

From: John Siliciano, Vice Provost
Mary George Opperman, Vice President for Human Resources

Re: Notice Requirements for Early Termination, Non-Renewal or Reduction in Effort/Salary for Non-Tenured/Tenure Track Academic Staff

We are writing to remind deans of the university's notice requirements regarding various personnel decisions relating to non-tenured/tenure track academic staff. We ask that you distribute this information to the relevant department chairs, directors and college administrators to assist them in their budget planning process. It is also important to note that the time periods set out below constitute the minimum acceptable notice requirements. More notice is generally preferable, and units should therefore strive to notify affected individuals as early as possible.

I. NON-RENEWAL OR EARLY TERMINATION OF TERM APPOINTMENTS

There are minimum notice requirements for the non-renewal or early termination of appointments for academic staff holding renewable appointments. These requirements vary depending on academic title and length of service. The general provisions relevant to this issue may be found at the following link: http://www.ohr.cornell.edu/policies/academic/academicApptTermsSections/AcademicApp_termination.pdf

A. Academic staff other than lecturers and senior lecturers. A minimum of three months notice is required for nonrenewal or early termination of appointments. For each year of service in the position beyond three years, an additional month is added to this minimum, up to a six month maximum.

B. Lecturers and senior lecturers. A minimum of three months of notice is required for those with less than two years of service (excluding summers). One semester notice is required for those having completed at least two years of service. Two semesters notice are required for those having completed three or more years of service.

C. Funding, budget or other uncertainties. If funding, budget or other uncertainties create the possibility, but not certainty, of early termination or nonrenewal of a position, the individual should be notified of the uncertainty, and this notification serves as sufficient notice to satisfy the above requirements. Such notice should be in writing to the individual and specifically note that it is serving as notice of non-renewal or early termination, should such actions be necessary. It is not adequate, for example, simply to issue a blanket notification to all academic staff that funding, budget or budget uncertainties may cause some non-renewals or early terminations of staff positions.

D. Exceptions. In some situations no notice is required. These include (1) an appointment clearly communicated as being non-renewable (i.e., a terminal appointment, although notice would be required for early termination of the appointment); (2) the termination of the grant or contract that is the sole source of salary for the staff member and for which the staff member is the principal investigator; (3) situations in which the staff member is not paid through Cornell; (4) cases in which the staff member is dismissed for cause.

Memorandum to Academic Deans

Re: Notice Requirements for Early Termination, Non-Renewal or Reduction in Effort/Salary for Non-Tenured/Tenure Track Academic Staff

Page 2

March 24, 2009

II. REDUCTION OF EFFORT/SALARY

The notice requirements for the reduction in effort, and a corresponding reduction in salary, for non-tenured/tenure track academic staff are in most cases less extensive than those that pertain to the non-renewal or early termination of such appointments. Two months of notice is required if the planned reduction in effort/salary does not affect benefit status. In cases in which such reduction will result in the loss of benefits for such individuals, the notice provisions for early termination or non-renewal described above should be observed. If funding, budget or other uncertainties create the possibility, but not certainty, of a reduction in effort/salary, the individual should be notified of the uncertainty, and this notification serves as sufficient notice to satisfy the notice requirements for a reduction in effort/salary.