

Faculty Retrenchment Policy

A. Purpose and Scope. This policy establishes CSU's procedures for faculty retrenchment and is adopted pursuant to Ohio Rev. Code (ORC) §3345.454 and §3345.456. It applies to all full-time tenure, tenure-track (through the end of their current appointment), and renewable-term faculty at Cleveland State University. Nothing in this policy limits CSU's obligations under ORC §3345.454(C) to eliminate undergraduate degree programs that average fewer than five degrees annually over any three-year period, unless the Chancellor grants a waiver. Program discontinuance decisions may independently lead to retrenchment under this policy.

B. Policy.

1. "Retrenchment" means a process by which CSU reduces programs or services, resulting in the temporary suspension or permanent separation of one or more faculty members, to address reductions in student population or funding, changes to institutional mission or programs, or other fiscal pressures or emergencies.

2. CSU shall not bargain retrenchment policies except for faculty who, at the time of any retrenchment determination, have at least 30 but not more than 35 years of service in one of Ohio's state retirement systems. This limitation applies notwithstanding any contrary provision in a collective bargaining agreement entered on or after the statute's effective date. Faculty may voluntarily accept separation incentives whether or not provided for in a collective bargaining agreement. (ORC §3345.456).

3. CSU may implement retrenchment when one or more of the following conditions exist and are documented by the Provost.

- a. Sustained and material enrollment declines.
- b. Significant reductions in institutional revenue or state support.
- c. Programmatic or mission changes approved by the Board of Trustees.
- d. Modification, elimination, suspension, or reorganization of a college, department, program, or major that reduces the need for bargaining unit faculty.
- e. Other fiscal pressures or emergencies affecting the University.

4. To initiate the retrenchment process, The Provost prepares a written proposal identifying affected units/programs, the grounds for retrenchment, supporting data

(enrollment, SCH trends, financials), and alternatives considered. Before forwarding a plan to the President, the Provost will consult with the Faculty Senate Academic Steering Committee for non-binding advice within 15 business days. Confidential personnel data may be redacted, but aggregate metrics must be provided to enable meaningful input.

5. Retrenchment decisions must:

- a. Be data-driven, neutral, and related to legitimate institutional needs;
- b. Respect academic freedom and viewpoint neutrality; and
- c. Comply with all applicable laws and non-discrimination obligations.

6. Primary Criteria considered in determining whether retrenchment is appropriate.

- a. Program Essentiality to CSU's mission and curricular map;
- b. Enrollment/SCH trends and student demand;
- c. Accreditation or licensure requirements;
- d. Financial sustainability; and
- e. Flexibility for reassignment to meet ongoing needs.

7. Prohibited factors. In making retrenchment determinations, the following are prohibited from consideration: viewpoint, protected speech, or other unlawful considerations.

8. Appeal. A faculty member noticed for retrenchment may file an appeal within 15 business days alleging: (a) material procedural error, or (b) misapplication of the selection criteria.

An Appeals Committee (three faculty members appointed jointly by the Provost and Faculty Senate Chair, plus a non-voting HR advisor) will issue a recommendation within 20 business days.

The President issues a final decision; the Board retains ultimate authority.

9. Unless a different order is justified by program essentiality and approved in the plan, the following are the criteria for determining which faculty are impacted first, and within each category, CSU will consider: documented competencies relative to remaining curricula; recent teaching demand; research/clinical/service essentiality; and externally funded support.

- a. Temporary/part-time instructional staff in affected units (if applicable);
- b. Non-tenure-track renewable faculty in affected units;
- c. Tenure-track (untenued) faculty in affected units; and lastly,
- d. Tenured faculty in affected units.

10. Notice, Timing, and Benefits.

- a. Minimum Notice: CSU will provide at least 90 calendar days of written notice of separation (or pay in lieu of notice) unless a longer period is required by contract or law.
- b. Severance/Benefits: The plan will specify severance (if any), continuation of benefits per CSU rules, and eligibility for reemployment assistance.
- c. Teach-Out/Student Impact: Chairs must file a teach-out and advising plan for any discontinued program contemporaneous with faculty notice.

11. Recall and Reemployment Preference. For 24 months after separation due to retrenchment, the affected faculty member shall receive priority consideration for posted, substantially comparable CSU positions for which they are qualified. HR will maintain and circulate a recall list to deans.

12. Mitigation and Alternatives. Before implementing separations, CSU will evaluate:

- a. Voluntary separation or retirement incentives (voluntary at faculty discretion);
- b. Reassignment/retraining to fill documented instructional needs; and
- c. Workload redistribution consistent with ORC §3345.45 standards.

13. Records and Reporting. The Provost's Office will maintain a retrenchment file containing the retrenchment plan, data relied upon, notices issued, appeal outcomes, and final Board action, and will include status updates in any reporting required by ODHE.

C. Policy Review Cycle. The Provost's Office is responsible for this policy. At a minimum, every five years, a policy is to be reviewed by the responsible official who will recommend whether the policy should be reaffirmed without revision, amended, or rescinded. Policies may be reviewed on an earlier timeline depending on necessity and change in law or practice.