



## Ohio Administrative Code

### Rule 3359-20-04.4 Retrenchment policy for full-time faculty.

Effective: January 15, 2026

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#### (A) Scope of policy

Pursuant to section 3345.454 of the Revised Code, each state institution of higher education is required to develop a policy for the retrenchment of faculty. This policy shall apply to all full-time faculty at the university of Akron ("University"), including but not limited to, all bargaining unit faculty.

More specifically, this policy shall apply to all full-time tenured, tenure-track and non-tenure track faculty in any university college or school; it shall not apply to part-time faculty.

Each state institution must submit its retrenchment policy to the chancellor of higher education, and the board of trustees shall update the policy at least once every five years.

This policy shall not apply to those faculty members who have at least thirty years, but not more than thirty-five years, of service in one or more of the state retirement systems at the time of any retrenchment determination.

#### (B) Definitions.

"Retrenchment" is defined as a process by which a state institution of higher education reduces programs or services, thus resulting in a temporary suspension or permanent separation of one or more institution faculty, to account for a reduction in the student population or overall funding, a change to institutional missions, programs, services, or other fiscal pressures or emergencies facing the institution.

"Program" is defined as a course of study that leads to a degree, a recognized major under a degree, or a concentration or certificate under a degree that is generally comparable to a major course of study at the university.



(C) Grounds for declaring retrenchment.

Subject to the approval of the university board of trustees, the university president, may declare and implement a temporary suspension or permanent separation of one or more faculty members to account for any one or more of the following circumstances:

- (1) Financial pressures or emergencies that threaten the university's ability to maintain its current level of operations;
- (2) A substantial change to the institutional mission or programs that requires a reduction of faculty;
- (3) A reduction in the student population of a program that results in the loss of revenue in that program;
- (4) Elimination of an academic program(s) pursuant to division (C) of section 3345.454 of the Revised Code that requires the reduction of faculty;
- (5) Action by the Ohio department of education or Ohio assembly that requires the university to implement a retrenchment;
- (6) Catastrophic circumstances facing the university.

While the university president may determine the need for academic retrenchment as defined in this policy, the university board of trustees must approve, and has the final authority over, any retrenchment decisions made pursuant to this policy, including the temporary suspension or permanent separation of faculty.

Financial exigency, as defined by accreditation, is not a prerequisite for initiating retrenchment and need not exist in order for the university to determine that a retrenchment is necessary based on one or more of the above enumerated circumstances.

(D) General procedures for retrenchment



Once the university president determines the need for retrenchment, the university provost shall notify the appropriate shared governance bodies of the need for retrenchment. The provost shall provide a written explanation of the specific circumstance(s) requiring retrenchment. The university may, in its sole discretion, provide additional evidence to support the ground(s) for declaring retrenchment. Such evidence need not be voluminous, and any requests for additional evidence shall not be made for purposes of delay.

The provost shall identify the specific program(s) or service(s) that will be subject to retrenchment, including whether any undergraduate degree program is being eliminated pursuant to division (C) of section 3345.454 of the Revised Code. Once the affected programs are identified, the provost shall request voluntary faculty separations in the affected program(s) prior to any faculty member(s) being involuntarily separated. The university may but shall not be required to provide incentives for voluntary separation(s), which may include a voluntary early separation incentive package.

The provost shall clarify whether the affected faculty will be temporarily suspended or permanently separated in the retrenchment. The university shall make a good faith effort to place those faculty members subject to release in other available positions at the university. However, such alternative placement shall not be a prerequisite to the suspension or release of any faculty member pursuant to this policy.

Once the determination has been made that retrenchment is necessary, and it is determined that less than all of the faculty within the affected program(s) will be retrenched, the following shall determine the order in which faculty within the affected program(s) shall be released:

- (1) Visiting faculty.
- (2) All remaining faculty as recommended by a committee of individuals with an administrative appointment within the appropriate college as appointed by the dean. The committee shall include the chair(s)/director(s) of the affected unit(s) and should have a maximum of five members. Recommendations shall be based on articulated criteria including academic content specialization, specific research activity vital to the university or demonstrated ongoing need as defined by the committee. Recommendations with rationales from the committee shall be reviewed and approved



by the appropriate dean.

The provost shall review the recommendations and rationales for the faculty to be retrenched. After consultation with affected administrative divisions and academic units, notices of release shall be given to each faculty member subject to retrenchment based on university need, without regard to academic rank or tenure status. The faculty member's employment shall end no sooner than the conclusion of the next successive academic term after receiving the retrenchment notice, including summer.

**(E) Timing of retrenchment.**

The timeline for the retrenchment process shall be determined by the provost and shared with the appropriate shared governance bodies at the time of the retrenchment determination. The entire retrenchment process, from the president's declaration through the delivery of the notice(s) of release to the affected faculty, shall be no less than ninety calendar days and no more than three hundred sixty-five calendar days.

**(F) Reinstatement rights.**

The university shall not approve the same or similar full-time position that was retrenched for at least one year, unless the faculty member has first been offered reinstatement and has declined such offer. Faculty members offered reinstatement shall be provided with thirty calendar days in which to decide whether to accept any offer of reinstatement. In the event one or more faculty members are qualified for reinstatement, the department chair or school director shall determine the faculty member to be reinstated, based on academic need. Any reinstated faculty member shall be reinstated into the same or similar position from which they were released. After one year, any rights to reinstatement shall be permanently extinguished.

**(G) Request for review.**

Any faculty member subject to retrenchment may request a review by the president, or designee. The review shall be limited to whether the procedures in this policy were followed and shall not include any substantive review. Such request(s) shall be in writing and shall briefly provide the reasons why



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the faculty member believes the procedures in this policy were not followed. The president's, or designee decision shall be final and not subject to further review or appeal.