

## 605.3 Nonrenewal, Termination or Dismissal of Faculty

### Purpose:

The purpose of this operational procedure is to establish Bismarck State College's process for the nonrenewal, termination, or dismissal of faculty in alignment [with SBHE Policy 605.3](#). This operational procedure affirms BSC's commitment to academic freedom, fairness, and due process, while ensuring institutional flexibility to respond to programmatic, financial, and performance-related needs.

This operational procedure applies to all full-time and part-time faculty employed by BSC, including special, probationary, and tenured appointments. It does not apply to adjunct instructors, temporary instructional staff, or termination of participation in specific programs or initiatives, which are governed by separate procedures.

### Definitions

**Nonrenewal:** Decision not to reappoint a probationary faculty member at the conclusion of their current contract term, without the necessity of demonstrating cause.

**Termination:** Ending a faculty member's contract due to financial exigency, program elimination, or other institutional needs.

**Dismissal for Cause:** Ending a faculty member's contract prior to its expiration due to incompetence, neglect of duty, misconduct, or other adequate cause.

**Standing Committee on Faculty Rights (SCFR):** The faculty body authorized to review dismissal cases and conduct hearings under [SBHE Policy 605.2](#).

### Appointment Documentation

Faculty receive written contracts specifying appointment type, length, and conditions. All contracts shall state that appointments are subject to nonrenewal, termination, or dismissal under [SBHE Policy 605.3](#) and this procedure. Contracts generally do not exceed one year; however, multi-year contracts may be issued in limited circumstances but remain subject to termination upon program discontinuance, non-appropriation or loss of funds, or other institutional exigency.

### Procedure:

#### Nonrenewal of Special and Probationary Appointments

Written notice of nonrenewal shall be provided according to the following timelines:

- By March 1, or at least three months in advance, for first-year faculty whose appointments end during the academic year



- By December 15, or at least six months in advance, for second-year faculty whose appointments end during the academic year;
- And at least twelve months in advance for faculty with two or more years of service.

Faculty may request reconsideration of nonrenewal within ten calendar days of receiving notice, and the institution shall respond within ten calendar days.

### **Tenured Appointments**

Tenured faculty are not subject to nonrenewal. They may only be subject to termination for institutional reasons or dismissal for cause as outlined in this procedure.

### **Termination for Institutional Reasons**

Faculty appointments may be terminated due to financial exigency, loss of legislative appropriation, program reduction or elimination, or other institutional changes that prevent continuation of the appointment. In these cases, a minimum of ninety days' notice shall be provided.

Prior to issuing notice of termination of a tenured faculty member, BSC shall provide for meaningful faculty input in accordance with [SBHE Policy 605.3](#). This input will be facilitated through the SCFR and its purpose is to ensure that academic considerations are fully addressed before final decisions are made.

### **Dismissal for Cause**

Faculty appointments may be dismissed prior to contract expiration for adequate cause, including professional incompetence or dishonesty, substantial neglect of duty, or gross misconduct.

#### **Process:**

- Written notice of intent to dismiss, including specific reasons, is issued to the faculty member.
- The faculty member may request review and a hearing before the SCFR.
- Hearings are conducted under principles of due process and fairness, and the faculty member may be accompanied by an advisor or representative.
- The SCFR forwards its recommendation to the President.
- The President makes the final institutional decision.
- Appeals may be made to the State Board of Higher Education in accordance with [SBHE Policy 605.4](#).

During dismissal proceedings, a faculty member may be suspended or reassigned duties. Compensation continues unless otherwise determined by [SBHE Policy 605.3](#).



### Faculty-Initiated Termination

Faculty wishing to resign or terminate their appointment should provide written notice by April 15 for the following academic year. Requests for mid-year resignations are discouraged but may be approved by the Assistant Dean and Dean in cases of hardship.

Failure to sign and return contracts by July 20 (or by the specified issuance date) will be considered a resignation, resulting in termination of employment unless an extension is approved by the President.

### Appeals and Reconsideration

- **Nonrenewal:** Faculty may request reconsideration within 10 calendar days of receiving notice. The institution shall respond within 10 calendar days.
- **Dismissal:** Faculty may request a formal hearing before the SCFR.
- **Other Grievances:** Issues outside the scope of this procedure may follow the BSC Faculty Grievance Policy.

### References:

[SBHE Policy 605.1 – Academic Appointments](#)

[SBHE Policy 605.3 – Nonrenewal, Termination, or Dismissal of Faculty](#)

[SBHE Policy 605.4 – Hearings and Appeals](#)

[BSC 605.1 – Academic Appointments, Rank and Promotion Policy](#)

[BSC Faculty Grievance Policy](#)

### History of This Procedure:

First policy draft by the Faculty Senate during the 1988-89 academic year. Revisions - January, 1989; February 2, 1989; February 3, 1989; October 21, 1991; August 7, 1997; January 12, 2004; October 20, 2010; December 29, 2010; revised by the Faculty Senate on March 1, 2012, reviewed by the Operations Council on November 14, 2012 and amended/approved by the Executive Council on November 30, 2012; October 14, 2016; February 12, 2019.

Reviewed by Campus Council on November 19<sup>th</sup>, 2025, and reviewed by the Executive Council on November 25<sup>th</sup>, 2025, and approved by the President on November 25<sup>th</sup>, 2025.

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