

LAMAR UNIVERSITY

Voluntary Modification of Employment

The purpose of this policy is to afford full-time tenured faculty members, including professional librarians, the opportunity to request reassignment of teaching and other duties in anticipation of retirement. The term “voluntary modified employment” (VME) is an employment status instituted under authority of this policy. The term “VME status” means the status of a faculty member whose term of employment and assignment have been modified under this policy.

1. **Faculty Eligible.** Any full-time, tenured faculty member who is eligible for retirement of any kind under the Teacher Retirement System of Texas or the Optional Retirement Program may apply for modification of the terms of the faculty member’s employment under the provisions of this policy.
2. **Length of Modified Status.** Modified employment status shall not exceed one (1) year.
3. **Application.** A faculty member desiring to take advantage of this policy must apply for VME status, in writing along with the form posted on the Academic Affairs website, to the Provost no later than two (2) calendar months prior to the beginning of the academic year in which the modified status is to become effective. For example, a faculty member who wishes to apply for modification effective September 1 must submit the application to the Provost no later than July 1 of that year. (Note: Requests for modification to the standard VME time frame and/or application deadline may be submitted to the provost two months prior to the requested start of the VME year, and for approval must be authorized as an exception by both the provost and the president.)
4. **Reservation of Discretion.** Ordinarily, Lamar University will grant an application for VME status only when, in its sole discretion, the academic and financial needs of the institution can support the modified position. Once approved, VME status is binding upon the faculty member, subject to the termination provisions stated below. Neither the University nor the faculty member may vary the terms of the new employment without the written agreement of the other. If application for VME status is denied by the Provost, a faculty member may appeal to the President of the University, whose decision is final.
5. **Maximum Percentage.** A maximum of ten percent (10%) of the full-time faculty may be on VME status during any academic year. The ten percent (10%) cap will apply to each college as well.
6. **Effects of Change in Status.** A faculty member’s acceptance of VME status has the following effects:
 - a. A faculty member whose application is approved must, at the time of approval, submit an irrevocable retirement letter effective May 31 of the VME year. This letter shall state that as of May 31 of the VME year, he/she will relinquish his or her full-time status and tenure, and end his/her employment with the University. (Note: See the note in paragraph #3 regarding modifications in the standard VME time frame and application deadline. In such instances, the retirement date will be adjusted accordingly by the Provost.)
 - b. The faculty member must complete an assignment that the Provost and the President, in their sole judgment, determine to be of benefit to the department/

college/university. The assignment will be developed by the Provost, in some cases in consultation with the faculty member's department chair and/or dean, and in collaboration with the faculty member, written in reasonable detail, and signed by the faculty member, Provost, and President prior to approval of the VME. The faculty member must submit quarterly progress reports to the Provost as well as a final report detailing assignment accomplishments (specific due dates to be included in the letter of approval of VME status).

- c. The faculty member will be issued a terminal contract for the VME year.
- 7. **University's Obligation.** The University shall provide fifty percent (50%) of the faculty member's current, 9-month salary as compensation to the faculty member who has been granted VME status during the VME year.
- 8. **Post VME Status Employment.** After one (1) year of modified employment, the University may, at its sole discretion, continue to employ the retired faculty member on any basis convenient to the institution. The faculty member shall have no property right or interest in continued employment.
- 9. **Termination.** During the specified period of modified employment, the University may terminate the retired faculty member's employment only in accordance with University policy and *The Texas State University System Rules and Regulations, Chapter V, Section 4*.
- 10. **Office Space, Access to Facilities.** The university may accommodate the office requirements of a faculty member whose employment has been modified under this policy. The institution makes no guarantee that the faculty member will remain in the same office and retains the right to reassign the faculty member to a different or shared office. The faculty member will have access to secretarial assistance, parking, library services, on campus mail, athletic and cultural events, professional travel and other facilities and activities on the same basis and at the same costs, if any, as the faculty generally.
- 11. **Faculty Member's Obligations Under VME.** The faculty member will continue to observe all obligations applicable to full-time faculty and comply with all University and System rules and regulations generally applicable to other personnel. He or she may terminate any modified employment granted under this policy and elect full time retired status by giving written notice to the Provost not less than sixty (60) days prior to the beginning of a given semester and completing the paperwork required.
- 12. **Duration of Voluntary Modification of Employment Program.** The program as described herein will be offered until the University, at its sole discretion, determines that it is no longer in its best interests to continue the VME program or otherwise implements a suitable modification, the latter following approval by the University President and, as to legal form, by the Texas State University System Vice Chancellor and Counsel. In the former case, faculty who have been approved for participation in the existing program (as described in item #1 of this document) will be allowed to complete the program and retire in accordance with the content of item #6 of this document.

