



Financial Exigency Policy

Office of Human Resources, Payroll & Records
1301 West Main • Wilburton, OK 74578
Phone: 918.465.1777 • Fax: 918.465.4421

Financial Exigency Policy

This policy statement establishes the procedures and guidelines for addressing a state of financial exigency at Eastern Oklahoma State College. It will supercede other College policies and procedures, including all grievance procedures, if the President of the College declares a state of financial exigency. These policies will yield in any cases of conflict between these policies and those required by law or by the Oklahoma State Regents for Higher Education.

Definitions

1. Financial exigency shall mean that state of financial crisis brought about by an Educational and General Part I budget allocation to the College and/or a significant shortfall in total College funding, which would:
 - a. Necessitate the elimination or reduction of existing instructional programs; or
 - b. Necessitate the termination of employment or reduction of compensation for permanently employed faculty or staff prior to the normal expiration of their contract or appointment; or
 - c. Seriously erode the quality of any existing program.
2. Financial Exigency Committee shall be composed of the President, who shall serve as Chair, the Vice Presidents, and other designees as may be deemed appropriate at the time. At the time of this Handbook adoption, the committee shall include the incumbents of the following described positions. Thereafter, the President may adjust the membership.
 - Vice President for Academic Affairs
 - Vice President for Business Affairs
 - Vice President of Student & External Affairs
 - Dean of the McAlester Campus
 - Director of Human Resources
 - Director of the Physical Plant
 - Faculty Council Chair
 - One (1) elected representative of the Division Chairpersons
 - Athletic Director

In addition, the President may appoint to the committee such other faculty, Administrative Staff, staff, or students to assure appropriate representation of all groups within the College community. The purpose of the Financial Exigency Committee is to recommend budget alterations, including those involving personnel, to the President.

3. Termination Review Committee shall be composed of a chair and six members, three of whom shall be faculty members and three of whom shall be Administrative Staff or Staff. The Vice President for Academic Affairs shall determine two of the faculty members of the committee by random selection from among faculty with three years or more of service, and one faculty member of the committee from among other faculty. Any faculty member so chosen may decline to serve. When the committee considers the appeal of a faculty member whose termination is proposed, the Vice President for Academic Affairs shall chair the proceedings; when the committee considers the appeal of a staff member whose termination is proposed, the Vice President for Administrative Services shall chair the proceedings. All members shall be voting members. Eastern Oklahoma State College Staff Handbook Approved by the Eastern Board of Regents, November 20, 2020. The purpose of the Termination Review Committee is to review terminations under exigency and make recommendations to the President as to their justification.



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Policy and Procedures

1. Declaration. When, in his opinion, a state of financial exigency is impending, the President, in consultation with the Executive Council and the Chair of the Board of Regents, shall declare the College to be in a state of financial exigency.
2. Preliminary Action Plan. Following the declaration, the President shall convene the Financial Exigency Committee and charge it with the responsibility of conducting appropriate studies and reviews to determine the nature and extent of the crisis and developing a Preliminary Action Plan to return the College to a stable financial state. Upon completion of its evaluation, the Task Force shall prepare and recommend its Preliminary Action Plan to the President.
3. Exigency Action Plan. The President shall review and consider the Preliminary Action Plan and seek such other advice and counsel from faculty, students, and other interested parties, as he shall deem appropriate. Any advice and counsel shall be advisory only, and it shall remain the sole responsibility of the President to make final decisions regarding recommendations to the Board of Regents concerning the financial exigency. Following such deliberation, the President shall prepare and submit to the Board of Regents an Exigency Action Plan for alleviating the financial crisis at the College.
4. Action by Board of Regents. The Board of Regents has ultimate responsibility for the financial integrity of the College. It will review the Action Plan submitted by the President and may consider such other factors as it deems appropriate in determining what actions should be taken to restore the College to a stable financial state. Any Action Plan adopted by the Board of Regents will not identify specific faculty or staff for termination, but may identify budgetary goals and areas and units for reductions.
5. Action Plan Implementation. Following adoption by the Board of Regents, the President shall direct the executive officers to implement the provisions of the approved Action Plan. If the plan entails the reduction of programs, activities of services, or the termination of faculty or staff, then the following appropriate provisions of this policy shall apply.

Guidelines

1. Termination of Employment. In reviewing programs and activities for reorientation, reorganization, realignment, reduction, or termination, the mission of the College and the fulfillment of its obligations as a higher education institution shall remain paramount. As the Financial Exigency Committee and other units develop their respective plans, they should consider such factors as centrality to the College's mission, productivity, support of productive programs, cost-benefit relationship, program achievement and / or income generating ability. This may, in some cases, necessitate the retention of programs, services, and activities which are not strong, but which are central to the concept of the College and to the mission of Eastern Oklahoma State College.
2. Program Deletions. If an academic program at the College is discontinued, students in the program shall be notified and every effort shall be made to allow them to finish their academic work. If it is not possible for students to complete the program, the College will explore making special allowances for such students. Special allowances might include such actions as permitting students to complete programs by taking work in related Eastern Oklahoma State College Staff Handbook Approved by the Eastern Board of Regents, November 19, 2004 Most Recent Amendments, November 3, 2006 29 departments, assisting them to locate the same program at other institutions, or other means of meeting the academic needs of affected students.
3. Personnel Reduction. Anyone terminated may appeal in writing to the Termination Review Committee to reverse its decision. Such an appellant does not have a right to a hearing before the committee. As such a review, the Termination Review Committee will recommend either termination or continuance of the person to the President. The President's decision will be final.