

PERSONNEL, NEBRASKA STATE COLLEGES

**POLICY: 5403 Voluntary Phased Retirement Policy;
Tenured Faculty**

Page 1 of 2

BOARD POLICY

In order to provide senior members of the faculty with increased career flexibility, a partial retirement policy is provided for a faculty member, who has completed at least ten years of service to the College, and who has attained the age of 55. At the discretion of the Board, such faculty members may be permitted to alter his or her employment status to a reduced-time .33 FTE partial retirement appointment. Any partial retirement appointment shall be subject to all the requirements of Board policies with respect to term and conditions of employment and mandatory retirement.

When determined by the responsible President to be in the best interest of the College, and approved by the Board, phased retirement will allow senior faculty to initiate retirement beginning with reduced .33 FTE employment as members of the College faculty and concluding with full retirement from College employment no later than July 1 following the third anniversary of the starting date of a phased retirement appointment.

TERMS AND CONDITIONS OF PHASED RETIREMENT APPOINTMENTS

1. **Eligibility** -- Beginning with the effective date of this Policy, a tenured faculty member who (1) has completed at least ten years of service within the State College System, (2) is 55 years of age or older, and (3) is not subject to mandatory retirement as authorized by law prior to December 31, 1993, will be eligible for a phased retirement appointment.
2. **Request For and Approval of Phased Retirement Appointments** -- Any full-time member of the faculty who is eligible for a phased retirement appointment may, with the approval of the responsible dean or director, request approval of a phased retirement appointment. The decision to request a phased retirement appointment is voluntary and at the sole discretion of the faculty member. No faculty member shall, in any manner, be coerced by any College officer or employee to request or accept a phased retirement appointment. Approval of a request for a phased retirement appointment is not automatic, but shall be approved or denied as the President in the reasonable exercise of his or her discretion shall determine is in the best interest of the College.
3. **Part-Time Appointment Status; Appointment Changes** -- Phased retirement appointments will be part-time appointments for a specified part-time .33 FTE on an academic-year appointment as specified in a Phased Retirement Appointment Agreement.
4. **Phased Retirement Appointment Agreement** -- The specific terms and conditions of each phased retirement appointment must be approved in accordance with this Policy by the responsible President and shall be reduced to writing in a Phased Retirement Appointment Agreement. Each Phased Retirement Appointment Agreement shall include a waiver of rights and claims by the faculty member under the Federal Age Discrimination in Employment Act (29 U.S.C. Sec. 621 et seq.), as amended by the Federal Older Workers Benefit Protection Act (Oct. 26, 1990, P.L. 101-433). Such waiver shall comply with the requirements for knowing and voluntary waivers provided in 29 U.S.C. Sec. 626 (f) (1).

PERSONNEL, NEBRASKA STATE COLLEGES

**POLICY: 5403 Voluntary Phased Retirement Policy;
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Page 2 of 2

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5. **Starting Date and Maximum Duration of a Phased Retirement Appointment** -- Each phased retirement appointment shall terminate not later than July 1 following the third anniversary of the starting date of the phased retirement appointment. Each Phased Retirement Appointment Agreement shall specify the date of termination of the phased retirement appointment and shall also include a clause that the faculty member agrees to fully retire from College service at the end of the phased retirement appointment.
 6. **Eligibility for Salary Increases** -- Faculty members on phased retirement appointments will be eligible for proportional salary increases in keeping with the normal review process for faculty salary adjustments.
 7. **Tenure Status** -- A "Tenured Appointment" will apply to a faculty member on a phased retirement appointment if the faculty member holds a tenured appointment at the time of beginning a phased retirement appointment. Once a phased retirement appointment becomes final, the tenured appointment of the faculty member will be for the fraction of the final phased retirement appointment to a full-time appointment. As with all tenured appointments, phased retirement appointments of tenured faculty members will be subject to termination prior to the end of the phased retirement appointment as provided by Board Policies 5014 and 5013.
 8. **Incentive Supplementary Compensation** -- Faculty members who request and accept phased retirement appointments after adoption of this policy shall continue to participate as applicable in the Nebraska State College Retirement Plan based upon the amount of their part-time phased retirement appointment salary. In addition, each faculty member on a phased retirement appointment will be paid supplementary compensation in the form of additional salary. This supplementary compensation amount will be determined by multiplying the difference between the faculty member's full-time equivalent salary and part-time phased retirement appointment salary, by the percentage of the employer contribution made to other full-time faculty members retirement plan.
 9. **Employment Benefits** -- Group life, medical and dental insurance will be made available to faculty members on phased retirement appointments as if they were on full-time appointments. Long-term disability insurance premiums during any calendar year and any subsequent long-term disability benefits shall be based upon the phased retirement salary paid to an individual on a phased retirement appointment as of January 1 of each calendar year.

Vacation leaves and leaves of absence due to disability shall be determined and allowed on a fractional basis by multiplying the full-time appointment entitlement by the fraction of the part-time phased retirement appointment.
 10. **Faculty Privileges** -- Additional faculty privileges of employment will be made available to faculty members on phased retirement appointments on the same basis as if they were on a full-time appointment. Requests for travel money and research money will be evaluated through normal processes. Requests for offices for faculty members on phased retirement appointments will be processed through normal channels, and office space will be provided as available.
 11. **Academic Freedom and Responsibility** -- Faculty members on phased retirement appointments will have the same academic freedoms and responsibilities as other faculty members and will have access to all grievance and appeal procedures available to other members of the faculty.