AIMS COMMUNITY COLLEGE PROCEDURE

FINANCIAL EXIGENCY

**Purpose:** To establish procedures to be used when Financial Exigency is formally recognized.

**Preliminary Action Plan:** Following the declaration by the President that a Financial Exigency exists, the President may convene a Financial Exigency Committee and charge it with the responsibility of determining the nature and extent of the crisis and developing a Preliminary Action Plan to return Aims to a stable financial state. The Committee, if utilized, will be given an expeditious timeline for completion of its function. As a minimum, the Preliminary Action Plan shall contain a summary review of functions and support programs of Aims and offer recommendations for reorientation, reorganization, realignment, or reduction of such functions and support programs and recommendations concerning reduction of personnel. The Preliminary Action Plan shall also describe any other expected effects of the plan. The Committee contemplated by this section does not replace the Reduction In Force Committee described in Policy 4-800.

**Exigency Action Plan:** The President shall review and consider the Preliminary Action Plan. Further, the President may seek such other and further advice and counsel from other interested parties or from parties he or she shall deem appropriate. Any advice and counsel shall be advisory only, and it shall remain the sole responsibility for the President to make final decisions regarding recommendations to the Board concerning the Financial Exigency. Following such deliberation, the President shall prepare and submit to the Board of Trustees an Exigency Action Plan for alleviating the financial crisis. Unless the President finds it appropriate or necessary, the Exigency Action Plan will not identify specific employees for termination but will identify any areas in which reductions or decreases most reasonably could be considered.

**Board Action:** The Exigency Action Plan shall be submitted to the Board for review and approval of the financial integrity of the Plan. It may consider such other factors as it deems appropriate in determining what action should be taken to regain financial stability. Unless the Board finds it appropriate or necessary, the Exigency Action Plan adopted by the Board will not identify specific employees for termination, but will identify those areas in which reduction or decreases could most reasonably be accomplished.

**Exigency Action Plan Implementation:** Following adoption by the Board, the President will implement the provisions of the approved Exigency Action Plan. If the plan entails the reduction of programs, activities, services or the termination of employees, then the following provisions of this procedure shall apply:

1. The mission, functions and responsibilities of the College to the citizens of the Aims Community College District shall remain paramount.
2. Consolidation, reduction or curtailment of administrative and support services shall receive serious consideration and generally shall precede termination of full-time faculty, administrators or staff. Consideration especially should be given to decreased expenditures for travel, materials, equipment, supplies and the like which could reasonably be deferred or canceled.

3. Any termination of an employee should be based on an appropriate administrative judgment that the action will achieve the desired result with less detrimental effects on Aims’ mission and quality than alternate budgetary action or reduction.

4. Decisions to terminate any employee shall not be based upon improper motives related to academic freedom, race, color, national origin, religion, age, handicap, veteran’s status, gender, or sexual orientation.

Termination of Financial Exigency: The declaration of Financial Exigency will be for a specified period of time not to exceed two years, unless extended by the President in consultation with the Board of Trustees. The President may rescind the declaration of Financial Exigency when the conditions giving rise to the declaration have abated. Nothing in this section shall imply that a notice of dismissal issued to any individual during a period of declared exigency is automatically withdrawn or otherwise invalid.

APPROVED: Dr. Marilynn Liddell
Aims Community College President
Date: July 26, 2005