



UNIVERSITY OF ARKANSAS

August 23, 2013

Office of the Vice Chancellor for University Advancement

***VIA ELECTRONIC DELIVERY AND
FIRST-CLASS. U.S. MAIL***

diamond@uark.edu

Mr. John Diamond

Dear John:

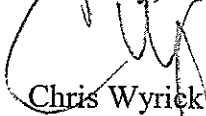
The purpose of the meeting we had on August 22, 2013, with Denise Reynolds, Assistant Vice Chancellor present, was to inform you of your reassignment to Associate Vice Chancellor of Communication for the Campaign. As I told you, a change needed to be made in University Relations because the University's senior leadership had lost faith in you, and this new position is important to the Campaign. My intent was to make this appointment effective immediately and it would end no later than December 31, 2013. I had planned to make assignments relating to strategic communications for the Campaign to you during this time period. At December 1, 2013, I told you that you would have been given a chance to resign or I would have terminated you with 30 days notice.

During the course of our meeting, however, you became irate and confrontational. Rather than demonstrating any willingness to maintain a professional and positive working relationship during the reassignment period, you made statements that my leadership style is "laughable", and frankly escalated the discussion to the point that I had to end the conversation. Even more troubling was how you exited my office and then turned around and entered my personal space with angry remarks about how I was to not threaten you again. I did not threaten you, and you crossed the line with this behavior. In sum, I believe that your conduct in our meeting constituted insubordination.

When you returned to Davis Hall, you made a "throat-slashing" gesture in the reception area. Within an hour after our meeting, I also received a call from a reporter inquiring about your employment status.

I attempted to contact you via phone and text message during the day to further discuss this issue, but you intentionally chose not to take my phone call, and you failed to respond to my text. Clearly, there is no repairing our working relationship. For that reason, I am separately issuing a termination letter with 30 days notice to you.

Sincerely,



Chris Wyrick
Vice Chancellor for University Advancement



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Dear John:

Pursuant to Board of Trustees of the University of Arkansas Policy No. 405.4, please be advised that this letter will serve as thirty (30) days notice that your employment with the University of Arkansas, Fayetteville, will be terminated effective September 22, 2013. Although the Board policy does not require the University to explain the reason for your termination, the basis of this action has been shared with you.

During the period between now and September 22, 2013, I will provide assignments to you via e-mail or telephone to be performed at your home. Please clean out your personal belongings from your office this weekend. All University issued keys should be returned by close of business August 26, 2013, and a receipt provided to Eunice Alberson. In addition, please cooperate fully in preserving and returning any and all University paper and electronic records in your possession to Roy Cordell by close of business August 26, 2013. Any other University property should be returned to Eunice Alberson by close of business September 23, 2013.

You should contact the benefits section of the Human Resources Department prior to your last day of employment.

Sincerely,

Chris Wyrick
Vice Chancellor for University Advancement

Attachment (Board Policy 405.4)

EMPLOYMENT PERIODS

The following employment periods are established to govern employment with the University of Arkansas on all of its campuses and in all of its programs and activities, effective for, and hereby incorporated as a part of, all personnel actions for employment to perform personal services during the period beginning July 1, 1983, and/or thereafter:

1. Administrative Employees

The President of the University shall serve at the pleasure of the Board of Trustees, unless otherwise provided by contract. The vice presidents, members of the System staff, and the Chancellors shall serve at the pleasure of the President, unless otherwise provided by contract. Vice chancellors, associate vice chancellors, and assistant vice chancellors shall serve at the pleasure of their appropriate Chancellors, unless otherwise provided by contract. Termination of employment in such positions shall be effected by a notice, in writing, thirty days in advance thereof.

2. Faculty Employees

(A) Faculty members who have been awarded tenure, heretofore or hereafter, have a right to continuous employment except for dismissal for cause (according to the procedures in Section IV., C. of Board Policy No. 405.1) or for termination in the event of demonstrably bona fide financial exigency, reduction or elimination of programs, retirement, or resignation.

(B) Faculty members in tenure-track positions (assistant professor, associate professor, professor, distinguished professor, and University professor) who have not yet been awarded tenure, heretofore or hereafter, may be terminated effective at the end of a year by a written notice, given in advance, according to the following schedule of time: (a) in the first year of his/her employment, not less than 90 days before the employment ceases; (b) in the second year of his/her employment, not less than 180 days before the employment ceases; and (c) not later than twelve months before the expiration of the employment after the employment has continued for two or more consecutive years. "Year" will be either fiscal year (July 1 through June 30 next) or academic year (fall and spring semester of the same fiscal year). For purposes of (c) above, the employment for the last year shall be for an academic or fiscal year according to the employment period previously served by the individual.

These termination notice periods are those specified under IV.B., "Non-Reappointment," in Board Policy No. 405.1. In addition to termination as outlined here, these employees may be dismissed for cause, or terminated in the event of demonstrably bona fide financial exigency, reduction or elimination of programs, retirement, or resignation, pursuant to Board Policy No. 405.1.

(C) Faculty members and other academic employees in positions for which tenure may not be awarded (part-time faculty in the ranks of assistant professor, associate professor, professor, distinguished professor, and University professor; clinical, research, adjunct, or visiting faculty; research associates or research assistants; graduate associates, graduate assistants, instructors, assistant instructors, master lecturers and lecturers; and faculty in clinical attending positions at the University of Arkansas for Medical Sciences notwithstanding that such faculty may be designated as assistant professor, associate professor or professor) may be terminated at any time, or dismissed for cause under the procedures of Board Policy No. 405.1. Termination is effected through the giving of a notice, in writing, of that action at least sixty days in advance of the date the employment is to cease.

3. Staff Employees

All staff employees of the University, whether full-time, part-time, extra help, or otherwise, may be terminated at any time or be dismissed for cause under University procedures. Termination is effected through the giving of a notice, in writing, of that action at least thirty days in advance of the date the employment is to cease.

4. Students and Hourly Employees

Students and hourly employees are hired to work at the pleasure of the University and, therefore, may be terminated at any time without notice.

5. Procedure

The President shall approve procedures to be followed at each campus, division or unit of the University for the utilization and processing of personnel action forms for each employee or for such other system or method of electronic or data entry record keeping or automated information system for employees. The procedures shall be designed to indicate for each employee the employee's title, salary amount and the fact of current employment with the University subject to this Board Policy on Employment Periods. The procedures shall also provide a means for communicating this information to employees.

It is the sense of the Board of Trustees that the establishment, in one Board Policy and procedure, of the periods of employment for all University employees will serve to clarify rights and obligations of such employees, reduce administrative time, effort, and expense in processing unnecessary personnel action forms which are duplicative in nature, make employment periods more flexible so that the expense of personal services may be more responsive to financial resources available to the University at any one time, and will assist in the proper management of the University.

September 18, 1998 (Revised)

April 18, 1998 (Revised)
September 16, 1994 (Revised)
March 27, 1989 (Corrected)
January 23, 1987 (Revised)
July 19, 1983 (Corrected)
April 15, 1983 (Revised)
January 7, 1983