

3020.1 This policy shall apply to all administrative or exempt staff with the exception of the College President.

3020.2 Contracts of employment shall specify the dates of employment, salary for the employment period and any other details not specified in this policy. Contracts shall generally be for a period of one (1) year for the first year commencing July 1, and ending June 30, or lesser period depending on the date of initial employment. Both District #18 (Big Bend Community College) and the employee will be obligated to abide by the terms of the contract as written unless by mutual agreement a modification is made in writing. Nothing herein shall preclude the college from entering into a contract with an administrative or exempt staff member that exceeds a period of one (1) year. In no circumstances shall an administrative or exempt staff contract exceed two (2) years in length. In order to be eligible for a contract exceeding one (1) year in length, administrative or exempt staff must have completed five (5) consecutive one (1) year contracts. Contracts exceeding one (1) year in length shall only be given in recognition of documented superior performance or to address issues of retention.

3020.3 Nothing herein shall preclude the college from entering into a contract with an administrative or exempt staff member for less than twelve (12) months duration for interim, acting, or other positions.

3020.4 Written notice of non-renewal of an administrative or exempt staff's contract will be no later than **April 15** of the last year of their contract, except those positions referenced in BP3020.8.

3020.5 Administrative and exempt staff may be terminated by the college for cause upon written notice from the President of the intent to terminate. The notice of intent to terminate shall list the reasons for this action which may include, but are not limited to, the following: (1) ineffective service; (2) incompetence; (3) insubordination; (4) unprofessional conduct; (5) a criminal conviction for violation of state or federal law; (6) violation of the College's published rules, regulations or policies. The written notice of termination shall be furnished at least fifteen (15) calendar days prior to the effective date of the termination. Such notice shall be delivered directly to the employee during working hours, or if this is not possible, mailed by certified letter to the employee's last known address.

Upon receipt of the notice of intent to terminate, the administrative or exempt employee will have ten (10) working days from the date of notification to either resign or request of the President implementation of the termination procedures. If the administrative or exempt employee elects to resign, such resignation shall be transmitted in writing to the President and deemed accepted upon receipt. If the employee chooses not to resign, they may appeal the decision to the President within ten (10) working days of receipt of the notice of intent to terminate. The President shall schedule an informal hearing with the administrative or exempt employee within five (5) working days, if possible, of the receipt of the appeal. The President shall make reasonable efforts to provide the employee with oral or written notice of the charges, the evidence which forms the basis for the charges and a reasonable opportunity for the employee to present reasons, either orally or in writing, why the employee should not be terminated.

If after the hearing the President still wishes to terminate the employee, that decision will be communicated to the employee. The President's decision will be final.

An administrative or exempt employee is considered probationary for the first contracted period of appointment and, therefore, no reasons need be given for termination during the contracted period of administrative or exempt appointment. The President shall give written notice of termination of a probationary administrative or exempt employee no less than thirty (30) calendar days in advance of the effective date of termination.

3020.6 In the event an administrative or exempt staff member resigns from a position, the college shall be given at least thirty (30) calendar days' notice. A shorter period may be approved at the discretion of the College President.

3020.7 If, at the discretion of the Board, it becomes necessary to Reduce in Force (RIF) and/or reorganize administrative or exempt staff during the contract year, only thirty (30) calendar days' notice shall be necessary and regardless of the length of the contract, employment shall terminate thirty (30) calendar days after written notice is given by the College President.

3020.8 Non State funded positions, or special state project funded positions, are determined by sources of funds available and may be terminated upon at least thirty (30) calendar days written notice.

3020.9 The College has discretion to terminate employment contracts for convenience. To exercise this discretion, the College will provide 30 days' written notice. If so terminated, the College shall only be liable for payment required under the terms of the contract for services rendered prior to the effective date of termination.