CLOUD COUNTY COMMUNITY COLLEGE

TOPIC: Resignation, Termination and Nonrenewal - Procedures
Policy Number: AP7

**Resignation**

Employees who voluntarily resign from their position with the College are expected to give proper notice in writing of their intent to resign. The notice is to include the employee’s anticipated date of departure, reason for resignation, and other pertinent data. In order to receive payment for accrued but unused vacation leave upon separation, proper notice must be given. Proper notice is defined as twenty business days. Business days are defined as weekdays, Monday through Friday, excluding scheduled College closings. Employees who resign prior to six months of employment will not receive payment for earned but unused vacation days. Employees who are terminated for “gross misconduct” as used by the Kansas Unemployment System or whose voluntary resignation date is escalated for “gross misconduct” as used by the Kansas Unemployment System will not be eligible for payout for accrued but unused vacation leave.

**Grant-Funded Employees**

Upon resignation or other reasons for separation of employment, grant-funded employees will not be paid a lump sum of the remaining vacation leave unless the grant provided funding for the vacation leave.

**Termination**

Administrative personnel may be terminated during the contract term for any good cause. Whenever an administrative employee is to be terminated, he/she shall be notified in writing. Upon an administrative employee’s receipt of the Board’s intention to terminate the administrative employee’s contract, the administrative employee may request a meeting with the Board by filing a written request therefore with the Clerk of the Board within ten (10) days from the date of receipt of the written statement of the Board’s intention to terminate his/her contract. The Board shall hold such meeting within ten (10) days after the filing of the administrative personnel’s request. The meeting provided for here shall be in executive session; and at such meeting, the Board shall specify the reason or reasons for the Board’s intention to terminate the administrative personnel’s contract.

The administrative employee shall be afforded an opportunity to respond to the Board at the meeting, or at the administrative employee’s option, at a subsequent meeting prior to the Board’s decision. The administrative employee shall have the right to be...
represented by and have counsel present. Within ten (10) days after the meeting, the Board shall reconsider its reason or reasons for termination, any responses thereto by the administrative employee, and shall make a final decision as to the matter. The Board shall set forth in writing its findings which support its decision.

**Nonrenewal**

An administrative employee’s contract may be non-renewed with or without good cause upon written notice thereof at least thirty (30) days prior to expiration of the contract term. The Board may waive the 30-day notice with good cause.

**Reduction in Force (RIF)**

A RIF occurs when changing priorities, budgetary constraints, or other conditions require Cloud County Community College to reduce staff, eliminate positions, or eliminate programs. A RIF can also occur when the needs of the College change so significantly that the employee in the position no longer has the demonstrated capability, competence, and/or appropriate experience to perform the required essential functions/duties of the changed position.

Employees selected for a RIF will be terminated with 30 days written notice whenever possible. Implementation of a RIF will void the employment contract effective on the termination date listed in the written notice, thereby releasing the college from its obligation to payout the remaining terms of the contract and without amendment to the contract.

**Selection for RIF**

A RIF requires an evaluation of the need for particular positions and relative value of work performed by specific employees so that the College can continue to provide the highest level of service possible with a reduced work force. Cloud determines priority for a RIF within the following guidelines:

1. The work area and/or department where the reduction is to take place will be designated by the Administration after consultation with supervisory personnel in the work area/or department.

2. In the work area and/or department where the reduction is to take place, consideration will be given to employee(s) who expresses a desire to voluntarily resign.

3. Temporary or part-time employees performing the same work assigned to full-time regular employees in the work area and/or department where the reduction is to take place will be
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terminated before involuntary termination of any full-time regular employee in the designated work area and/or department, provided that regular full-time employee(s) has demonstrated the ability to perform the duties assigned to the temporary employee.

4. Then the RIF of full-time regular employees will be based on the following factors:

   a. The position(s) most vital to the work area and/or department in the delivery of services will be retained as long as possible;

   b. Full-time regular employees with the most demonstrated skills, knowledge, and productivity as to the position(s) being retained (the attached Skills List will be used by supervisor(s) to make this evaluation) will be considered for the retained position(s); and

   c. If two or more full-time employees are evaluated as having substantially equal demonstrated skills, knowledge, and productivity as to the position(s) being retained, then the full-time regular employee with the greatest length of employment with the College as a employee will be retained.

5. The College is committed to the administration of this policy so not to discriminate on the basis of race, gender, color, age, sexual orientation, religion, physical disability, or veteran (including Vietnam era) status.

Furlough (Involuntary Unpaid Leave)

A furlough occurs when changing priorities, budgetary constraints, or other conditions require Cloud County Community College to reduce staff, positions, and/or programs. The Board may require a period of furlough (involuntary unpaid leave) as determined by the Board. The period and reason for the furlough shall be determined by the Board.

Employees selected for a furlough will be given 30 days written notice whenever possible. Implementation of a furlough will amend the employment contract effective on the date listed in the written notice. The Board shall not be required to pay any salary or benefits during periods of furlough except as required by law.