

 Wharton County Junior College	ADMINISTRATIVE PROCEDURE MANUAL	
WCJC Title: Nonrenewal, Suspension, and Dismissal of Contract Employees	Section D: Personnel	Page(s): 2
BASED ON BOARD OF TRUSTEES POLICY		
Policy Title: Term Contracts	Policy: DMAB	
Subtitle: Nonrenewal	Date Adopted: 08/01/2020	

Purpose

This administrative procedure describes the process for nonrenewal of contract employees.

Procedure

A. Nonrenewal of Contract Employment

Employees may be non-renewed at the end of the contract term. Nonrenewal shall not be based on an employee's exercise of rights guaranteed by the Constitution or be based unlawfully on an employee's race, color, religion, sex, national origin, handicap, or age.

B. Notification

Written notification of intent to non-renew a contract for Faculty and Administration shall be made by April 1 of each year.

C. Dismissal of Contract Employees: Due Process Procedures

WCJC recognizes the need to provide procedures to ensure a fair hearing for any employee who believes his or her property interests or other rights protected by law are being threatened by the proposed action of the College. When the College proposed to dismiss or demote a contract employee during the term of employment or when any employee alleges that the action proposed by the College violates the employee's legally and constitutionally protected rights, the employee may file an employee grievance.

D. Suspension

The Board reserves the right to immediately suspend from duties any contract employee charged with moral turpitude or nonperformance of duties. Salary will continue until the investigation of the charges is complete and the Board makes a final determination regarding employment status.

E. Dismissal of Noncontract Employment

1. Noncontract employees are employed on an at-will basis.
2. Noncontract employees who are dismissed shall receive an amount equal to two weeks' pay upon the date of termination.
3. Noncontract employees who are dismissed may request review of that decision through the employee grievance process.

F. Financial Exigency as Cause for Dismissal of Employees

1. Cases of bona fide financial exigency or the phasing out of instructional programs that require the reduction of staff shall be sufficient cause for dismissal during the term of the contract.
2. Order of Dismissal: When considering dismissal of contract employees in cases of bona fide financial exigency or when phasing out instructional programs, the Board shall consider length of service and employee performance evaluations in determining the order of termination. In addition, the following considerations will be granted:
 - a. Affected employees will be given opportunity for appointments in related areas, or other areas provided that they are qualified in such areas and such positions are available.
 - b. Assuming professional qualifications are met, an employee's length of service and performance evaluation will be considered in making appointments in related areas.

Date Prepared: 10/26/22 (RYB)

Revised Date: