



Non-Renewal of Term Contract

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Approved by and date:

Board of Trustees 12/11/2017

Executive Leadership Team 11/16/2017

Policy:

Employees' contracts may be non-renewed at the end of their contract terms for any reason or no reason. The College shall not be obligated to automatically renew any employee's contract. Non-renewal shall not be based on an employee's exercise of rights guaranteed by the Constitution, issues related to academic freedom, or be based unlawfully on an employee's sex, race, color, religion, age, national origin, disability, veteran's status, genetic information, or any other characteristic protected by institutional policy or local, state, or federal law.

Procedures:

Approved by and date:

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Notification of Non-renewal

The College will make best efforts to notify a full-time faculty member of its intent to non-renew his or her contract by July 31 of each year. However, the College's failure to notify the employee by this date does not renew the employee's contract, create a property right in continued employment at the College, or create a new employment contract, either express or implied. Notifications of any full-time non-faculty employee's non-renewal may be sent at any time prior to the date the current contract expires.

Grievance of non-renewal

The Board designates the director of human resources as the person to whom a full-time faculty member may present a grievance under Education Code 51.960 on an issue related to his or her nonrenewal. Such grievance must be filed in writing within 5 business days of the notice of nonrenewal.

Appeals of Non-renewal

Appeals for non-renewal are generally not allowed. There are two exceptions to this rule:

- a. if the employee alleges that the non-renewal constitutes a violation of a constitutional or statutory right, or
- b. if the employee has continuously been employed as a full-time employee by the College for at least ten (10) full academic years.

If an appeal is allowed related to non-renewal, then a written appeal must be given to the President within 5 business days of the date of notice of non-renewal. The same hearing procedures set forth under the College's policies related to appeal for a Termination of Employment – Dismissal Policy apply. However, the employee bears the burden of proof to prove any violation of his or her rights.