

SOUTHWESTERN COMMUNITY COLLEGE	HUMAN RESOURCES/INFORMATION TECHNOLOGY NON-RENEWAL OF EMPLOYMENT CONTRACTS AND RESIGNATIONS	Policy 4.03.07
-----------------------------------	-----------------------------------------------------------------------------------------------------------	-------------------

~~I. DEFINITIONS~~

- ~~1. *Non-renewal* means the decision not to offer a new contract at the end of the current contract period.~~
- ~~2. *Impermissible Grounds* means the use of the employee's race, sex, religion, age, national origin, disability status, military status, protected First Amendment rights or any other protected class as prohibited by law.~~

~~II. NON-RENEWAL PROCESS~~

~~The President or designee will notify, via hand-delivery, certified mail and/or campus email, any employee who will not be offered a new employment contract. The College may non-renew the employee's contract for any reason that is not based on Impermissible Grounds. An exception to this notification requirement occurs when a program is discontinued or a reduction in a program is necessary or when there is inadequate funding in state or local budgets. See Policy 4.03.08 – Reduction in Force – Involuntary Leave without Pay.~~

~~The failure of the College to provide notice of non-renewal prior to the expiration of any contract does not entitle the employee to a new contract. The employee has the right to appeal the President's decision to the Board of Trustees as outlined in Policy 4.03.04 – Right of Appeal provided, however, that the Board of Trustees will only consider an employee's appeal if the employee is alleging that the non-renewal is based on Impermissible Grounds.~~

~~If an employee continues working beyond the term of any contract and the College and employee have not entered into a new or extended contract, the employee shall become an at-will employee and the College or employee may terminate the employment relationship at any time subject to any state or federal laws.~~

III.I. RESIGNATIONS

~~Any employee who does not wish to be nominated for re-employment should notify the appropriate Vice President in writing at least thirty (30) days prior to the expiration of the current contract. Resignation during the term of the contract without full agreement upon and settlement of all claims, in writing, existing between the College and the resigning employee shall require payment of liquidated damages to the College as specified in the employment contract.~~

- A. Notice. Employees wanting to resign should provide written notice to their supervisor at least thirty (30) days prior to the effective date of resignation. The President or designee will confirm in writing the employee's resignation and effective date of resignation. Failure of the President to confirm the employee's resignation shall have no effect on the resignation itself. The failure to provide

SOUTHWESTERN COMMUNITY COLLEGE	HUMAN RESOURCES/INFORMATION TECHNOLOGY NON-RENEWAL OF EMPLOYMENT CONTRACTS AND RESIGNATIONS	Policy 4.03.07
-----------------------------------	-----------------------------------------------------------------------------------------------------------	-------------------

adequate notice may be considered if the employee reapplies with the College in the future and when references are provided for future employment.

B. Resignation for Failure to Report to Work. Employees that fail to report to work for four (4) consecutive days without properly communicating to their supervisor the reasons for their absence will be considered a voluntary resignation.

C. Rescission. Employees may not rescind a resignation unless permitted to do so by the President. Employees who wish to discuss concerns about continued employment before making a final decision to resign are encouraged to do so.

A.D. Money Owed. If the employee owes money to the College at the time notice is provided, the employee must reimburse (or enter into an agreement to reimburse) the College the money prior to the effective date of the resignation.

Cross Reference: 4.03.04 – Right of Appeal
4.03.08 – Reduction in Force / Involuntary Leave without Pay

Adopted: October 1992
Revised: October 22, 2013
March 23, 2021