



# EL PASO COMMUNITY COLLEGE PROCEDURE

For information, contact Institutional Effectiveness: (915) 831-6740

## DDA-3 Employee Categories and Statuses

APPROVED: August 31, 2022 REVISIED: Year of last review: 2022 AUTHORIZING BOARD POLICY: DDA

Classification: Administrative Responsible Vice President or Associate Vice President: Vice President of Financial and Administrative Operations Designated Contact: Executive Director of Human Resources

OBJECTIVE: This procedure provides the definition and status for the District’s Employee Categories: Faculty\*, Staff (Administrative, Professional, and Classified), Student, Externally-Funded, and Volunteers.

### I. FACULTY

#### A. Definitions

- 1. Faculty. An employee who is an instructor, counselor or librarian of the District.
2. Instructional Faculty Member. An instructional faculty member who is an employee of the District, so designated, whose primary job is instruction.
3. Non-Instructional Faculty Member. An employee with at least a master's degree who is designated as a counselor or librarian.
4. Tenure. Tenure is an assurance to a full-time faculty member who has satisfactorily completed the probationary period and received approval from the College President and the Board that he or she may expect to continue in his or her full-time faculty position with the District unless and until adequate cause for dismissal exists. Only full-time faculty members are eligible for Tenure consideration.

#### B. Employment Contracts.

- 1. The Board, on the recommendation of the President of the College, shall employ full-time or part-time faculty members, as follows:
a. Probationary Instructional Faculty Member Contract. During each year of the Probationary Period in which employment is offered, Instructional Faculty Members shall be employed under a one-year contract for a term generally encompassing the academic year. The academic year shall consist of a minimum of 165 work days.
b. Probationary, Counselor/Librarian Faculty Member Contract. During each year of the Probationary Period in which employment is offered, full-time, Counselor/Librarian Faculty Members shall be employed under a one-year, faculty contract for a term generally encompassing the academic year of 165 work days, plus twenty (20) addendum work days, can be worked during academic breaks and/or after the end of the scheduled academic year. The work schedule of a Counselor/Librarian Faculty Member shall be designated by the discipline prior to the beginning of the academic year. Counselor/Librarian Faculty Members who work the academic year schedule will be compensated in accordance with the Academic Year Faculty Salary Table.
c. Tenured Instructional/Counselor/Librarian Faculty Member Contract. If a faculty member successfully completes the Probationary Period by exhibiting exemplary job performance, conduct and service to the District, the College President may recommend, and the Board may

\* Note: The word “faculty” denotes instructors, counselors and librarians.

grant tenure with the District. A faculty member who is awarded tenure by the Board shall receive a contract of employment for consecutive academic years. If a tenured faculty member becomes an administrator, he or she shall retain tenure in the faculty position.

- d. Lecturer. A lecturer, so designated, is a full-time faculty member employed on a temporary annual basis, without a contract, based on District need. Faculty members employed in externally-funded positions, replacement positions, and positions in new and/or developing programs, may be designated as lecturers. Lecturers shall serve at the pleasure of the College President and shall have no property interest in employment with the District. Faculty employed in externally-funded positions, in replacement positions in new and/or developing programs may be designated as lecturers. This is a non-tenure track position. Service performed as a lecturer will not be credited toward tenure requirements.
- e. Adult Vocational or Special Program Instructor. An adult vocational or special program instructor, so designated, is a full-time instructor employed on a temporary basis, without a contract. Adult vocational or special program instructors may teach in designated credit, certificate, or non-credit instructional programs. The work schedule of an adult vocational or special program instructor shall be designated by the program prior to the beginning of the academic year. The work schedule may follow the academic year work schedule or another work schedule. Adult vocational and special program instructors who work the academic year schedule will be compensated in accordance with the Academic Year Faculty Salary Table, and adult vocational and special program instructors who work a schedule other than the academic year schedule will be compensated on a per diem basis according to the Adult Vocational Instructor Salary Table. Adult vocational and special program instructors shall serve at the pleasure of the President of the District and shall have no property interest in employment with the District. This is a non-tenure track position. Service performed as an adult vocational or special program instructor will not be credited toward tenure requirements.
- f. Adjunct (Part-time) Faculty. An adjunct faculty member, so designated, is a part-time faculty member employed in a temporary status, without a contract, who shall serve at the pleasure of the President of the College and shall have no property interest in employment with the District.
- g. Volunteer/Affiliate Faculty. A volunteer/affiliate faculty member, so designated, shall have no property interest in employment with the District. Volunteer/affiliate faculty members shall receive no remuneration from the District, but may be reimbursed for expenses incurred on behalf of the District. The College President, or his/her designee shall decide whether to accept the services of qualified volunteer/affiliate faculty. The acceptance of such services shall be conditioned on the volunteer/affiliate faculty member's written agreement to abide by the policies and procedures of the District.

## C. General Provisions.

1. Exempt Status. All faculty members are exempt from the overtime provisions of the Fair Labor Standards Act.
2. Property Interest in Contract. A contract of employment with the District creates a property interest in the position only for the period of time stated in the contract and creates no property interest beyond the period stated in the contract. Non-tenured faculty members have no right or expectation of reappointment beyond the current year of employment.
3. Notice of Non-Reappointment/Non-Renewal. Notice of the College President's recommendation of non-reappointment of any Faculty member, regardless of status, will be in accordance with applicable District Policies and Procedures and the Faculty member's contract of employment.

## II. STAFF

### A. Definitions

1. Administrative Staff. An administrator is an employee of the District, so designated, who is responsible for providing planning and operational leadership in the development, implementation and management of major District-wide operational functions. An administrator usually has

significant responsibilities for the development, implementation and compliance-monitoring of District-wide Policies and operational procedures related to their area of responsibility within their department. Administrators are exempt from the provisions of the Fair Labor Standards Act.

2. Professional Staff. A professional staff employee is an employee of the District, so designated, whose primary responsibility is providing support in a specialized professional, service, support, or instructional role for operational functions. The professional staff employee may have supervisory responsibilities for his/her function and/or limited responsibilities for the development, implementation, and compliance-monitoring of District-wide Policies and operational procedures. Professional staff employees are designated exempt (Administrative Support Responsibilities) or nonexempt (Professional Production Work) pursuant to the guidelines of the Fair Labor Standards Act. Nonexempt professional staff employees may not be concurrently employed in a dual position with the District.
3. Classified Staff. A classified staff employee is an employee of the District, so designated, whose primary job is technical, clerical, secretarial, and/or maintenance support services. Classified staff employees are non-exempt from the overtime provisions of the Fair Labor Standards Act. Full-time classified staff employees may not concurrently be employed in a dual position with the District
4. Regular. A regular employee is an Administrative Staff, Professional Staff, or Classified Staff employee, so designated, who is employed in a long-term, full-time, institutionally-funded position. A regular employee shall be employed by written contract, which, along with District Policies and Procedures, shall govern the conditions and length of employment.
5. Temporary. A temporary employee is an Administrative Staff, Professional Staff, or Classified Staff employee, so designated, who is employed in an institutionally-funded, short-term position, in a part-time position, or in an externally-funded position. While in a temporary status, the employment relationship is not subject to an employment contract or the requirements of due process and may be terminated for any reason not otherwise prohibited by law. A notice of termination may be sent by the College President or his/her designee.
6. Probationary Period. All full-time, non-faculty employees shall work under a probationary period for the first six months of employment. Employees who are transferred or promoted into a new full-time position shall not be considered probationary. However, an evaluation of performance will be made by the employee's supervisor during the College's scheduled performance evaluation periods at two (2), four (4) months, and annually. This evaluation will be used in determining continued employment. Upon successful completion of the probationary period, non-faculty employees will be eligible for continued employment. While in a probationary status, the employment relationship is not subject to the requirements of due process, and the employee serves at the pleasure of the President of the College and may be terminated for any reason not otherwise prohibited by law.

## **B. General Provisions.**

1. Employment Contracts. Upon the recommendation of the College President, the Board shall employ by contract a full-time, regular Administrative Staff, Professional Staff, and Classified Staff, for a term not to exceed one (1) year. All such contracts shall begin on September 1 of the year beginning the contract and shall end on August 31 of the year terminating the contract. Subsequent renewal of full-time, regular Administrative Staff, Professional Staff, and Classified Staff employee's contract is not automatic and is subject to District Policies and Procedures and the terms of the employee's contract of employment.
2. Property Interest in Contract. A contract of employment with the District creates a property interest in the position for only the period of time stated in the contract and creates no property interest beyond the period stated in the contract. A part-time or temporary Administrative Staff, Professional Staff, and Classified Staff employee shall serve at the pleasure of the College President and the Board and shall have no property interest in employment with the District.
3. Work Schedules. The work schedule for Administrative Staff, Professional Staff, and Classified Staff employees is in accordance with the institutional calendar.
4. Notice of Non-Reappointment. Notice of the College President's recommendation of non-reappointment/non-renewal of any Administrative Staff, Professional Staff, and Classified Staff

employee, regardless of status, will be in accordance with applicable District Policies and Procedures and the employee's contract of employment.

### III. OTHER EMPLOYEE CLASSIFICATIONS

#### A. Definitions

1. Student Employees. A student employee is a part-time employee so designated, who, as a condition of employment, is enrolled and regularly attending classes. District Policies and Procedures are applicable to Student Employees unless otherwise indicated.
2. Externally Funded Staff. An externally-funded employee is a person employed by the District in a position which is contingent upon and funded by an outside source, through a grant, contract, or other instrument. District Policies and Procedures are applicable to externally-funded employees, unless otherwise indicated. Exceptions shall be clearly identified in an employment contract or agreement with the externally-funded employee.
3. Volunteers. The Board of Trustees recognizes the many talents of the residents of the El Paso County and surrounding areas and the contributions they can make to the District. Volunteers will be required to complete the Volunteer Application and Release Form before starting a volunteer assignment. In recognition of this valuable resource, the Board of Trustees directs the College President to develop policies for the effective use of volunteers. District Procedures are applicable to Student Volunteers unless otherwise indicated.

#### B. General Provisions

1. No Employment Contracts and No Property Interest in Contract. Student Employees, Externally Funded Staff, and Volunteers will not be provided a contract of employment, shall serve at the pleasure of the College President and the Board, and shall have no property interest in employment with the District.
2. Notice of Non-Reappointment. Student Employees, Externally Funded Staff, and Volunteers are not entitled to notice of non-reappointment/non-renewal because these categories of employees do not have contracts of employment with the District.