SCOPE AND DEFINITIONS

This policy applies to all College employees, including both Faculty employees and staff employees, except as specifically noted.

References in this policy to “Faculty” or “Faculty member” means an individual employed by the College as a teacher or instructor.

References in this policy to “staff” or “staff employees” mean employees who are not Faculty employees.

A “provisional Faculty member” is any Faculty member other than: (A) a Faculty member who has completed not less than three consecutive one-year letters of appointment with the College and has been offered a fourth letter of appointment with the College; (B) a Faculty member who has completed not less than two one-year letters of appointment with the College and has been offered a third letter of appointment with the College, if, at any time prior to the Faculty member’s employment with the College, the Faculty member has completed the employment requirement of subpart (A) in any school district, area vocational-technical school, or community college in Kansas; or (C) a Faculty member for whom the Board has waived, in whole or in part, the employment requirement of subpart (A) or (B). Notwithstanding the foregoing, a Faculty member will continue to be a provisional Faculty member if, after completing not less than three one-year letters of appointment with the College, the Board elects to apply the provisions of K.S.A. 72-5445(c).

POLICY STATEMENT

The President shall have the responsibility for determining the number of positions employed by the College. If the President determines the need to reduce the number of positions due to changing priorities, budgetary constraints, enrollment or anticipated enrollment, or other conditions, the President may, at his/her discretion, declare the existence of a reduction in force (RIF). 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 of the changed position.
GENERAL

1. The staff may be reduced by RIF at any time, at the discretion of the President, subject to the approval of the Board.

2. The Faculty may be reduced by RIF at such times and in such manner as permitted by law, upon recommendation of the President and subject to approval of the Board.

PERSONS SUBJECT TO RIF

1. When a RIF with respect to staff has been deemed necessary or appropriate, the individual employees or groups of employees subject to reduction will be determined at the discretion of the President, subject to approval by the Board.

2. When a RIF with respect to Faculty has been deemed necessary or appropriate, the greatest possible reduction in Faculty shall be first accomplished through attrition (if any). The reduction may then be applied to all Faculty or to only some group or groups thereof. The President, subject to Board approval and after consultation with the leadership council (or its then-existing equivalent), shall determine the group or groups of Faculty from which the reduction shall be made.

SELECTION OF FACULTY WITHIN GROUP

1. Within each specified group of Faculty identified for reduction, Faculty members shall be selected for reduction in the following order:
   a) Faculty members whose performance does not meet the expectations of administration.
   b) Faculty members whose positions have been eliminated and who are not qualified to fill any vacant teaching position.
   c) Provisional Faculty members.
   d) Non-provisional Faculty members who are on a disciplinary plan for improvement.
   e) Other non-provisional Faculty members.

2. Within each subparagraph above, if two or more Faculty members are otherwise equally eligible for selection, the order of selection of those Faculty members shall be decided through applying unbiased procedures developed by the Human Resources department.

3. If the length of current employment will be a factor in selecting Faculty members for reduction, it will be determined based on the date of employment specified by the Personnel data base.

4. Only those performance evaluations forwarded to the Human Resources department prior to the date a specified group is identified by the President for reduction will be considered in the implementation of this policy.

5. Any individual(s) within a specified group who is on or has requested an extended leave shall be eligible for selection for reduction under the conditions set forth herein.

NOTICE

Any Faculty member who is to be recommended for reduction shall be notified in writing at least thirty (30) days prior to the proposed effective date of such reduction. Such notice shall include:
(a) The basis for the initial decision for the reduction.
(b) The reason(s) for the selection of the individual Faculty member.
(c) A copy of this policy.
(d) Notice to the Faculty member of an opportunity to respond.

RIGHTS

1. Any employee whose position has been reduced shall no longer be considered an employee and shall have no employee rights or benefits other than those required by law (if any).

2. Any Faculty member whose position has been reduced may apply for assignment as an adjunct Faculty member.

3. No reduction covered under this Policy shall be considered a termination or non-renewal under K.S.A. 72-5436, et. seq.