



## **Administrative and Professional Staff**

### **Purpose**

The purpose of this policy is to designate those individuals considered administrative and professional staff whose employment may be terminated with or without cause at any time by the university.

### **Persons Affected**

This policy applies to those employees considered administrative and professional staff.

### **Definitions**

None

### **Policy**

An administrative and professional (A&P) position:

- A. Has primary responsibility for the management of multiple departments or operating units with the primary focus on strategic and tactical business planning and development;
- B. Has responsibility for the management and operation of a department or unit within a department and performs one or more of the following: development and administration of policies, programs and internal procedures, development and maintenance of fiscal systems and operations, strategic and tactical business planning and development, facilities planning, recruitment, supervision, and/or development of professional and support staff;
- C. Serves as assistant or associate head or director and who participates in the management of the department or a major functional segment thereof, and performs the duties and responsibilities of the unit head or director in the latter's absence;
- D. Performs duties solely or predominately of a recognized profession and/or state-licensed profession requiring an advanced degree such as lawyers, auditors, physicians, nurses, engineers, counselors, etc.
- E. Has primary responsibilities for the creation, development, implementation, and maintenance of programs relating to various significant institutional endeavors;
- F. Requires an incumbent to possess a national reputation or status in their field or unusual or unique and highly specialized expertise in a particular area or field of endeavor;
- G. Holds a position, such as that of a professional librarian, which is excluded by state law from the Classified Service;
- H. Performs specialized functions, such as athletic coaches, charter school teachers, and Early Childhood Laboratory teachers.

### **Procedures**

The following procedure will be followed when in consultation with the Department of Human Resources it is determined an employee is subject to this policy:



- A. Review by Supervisor. The supervisor will review the evidence and seek the concurrence of the unit head or designee to whom they report.
- B. Concurrence Sought and Obtained: Once the supervisor has reviewed with the unit head or designee they should seek and obtain the concurrence of the director of Human Resources or delegate.
- C. Pre-Termination Notice to Employee: The supervisor shall inform the employee in writing of the reasons for the proposed termination and the facts upon which the supervisor relies. The employee shall be provided with an opportunity to respond to the notice either verbally or in writing within a reasonable time, but not to exceed two (2) working days, and to persuade the supervisor that the grounds for the termination are mistaken or incorrect before a final decision is made.
- D. Termination of the Employee: If the supervisor is not persuaded by the employee's response that the decision to terminate the employee is incorrect or mistaken, the supervisor may proceed to terminate the employee. The supervisor shall inform the employee in writing of the following:
  1. The effective date of the termination;
  2. The specific incident, conduct, course of conduct, unsatisfactory work performance, or other basis for the termination;
  3. Any previous efforts to make the employee aware of the need to change or improve work performance or conduct; and
  4. Reference to any relevant violation of state or federal law, Regents' *Rules and Regulations*, U.T. System policies, or SFA policies or procedures.

Any appointment to an A&P position which is filled by a tenured employee will not affect the employee's tenure status. Tenured employees removed from administrative assignments under this policy may be reassigned to a faculty position.

### **Related Statutes or Regulations, Rules, Policies, or Standards**

None

### **Responsible Executive**

Director of Human Resources

### **Forms**

None

### **Revision History**

September 1, 2023 (original)