

## **ARTICLE II - ADMINISTRATION**

- 2.00 PRESIDENT OF THE COLLEGE**
- 2.02 SELECTION OF ADMINISTRATORS**
- 2.03 HEALTH EXAMINATION**
- 2.04 LETTER OF EMPLOYMENT**
- 2.05 TERMS OF EMPLOYMENT**
- 2.06 DISMISSAL**
- 2.07 EMPLOYEE DUE PROCESS**
- 2.08 TERMS OF PAYMENT**
- 2.09 CREDIT FOR OTHER EXPERIENCE**
- 2.10 SICK LEAVE**
- 2.11 PAY FOR UNUSED SICK LEAVE UPON RETIREMENT**
- 2.12 WORKERS' COMPENSATION**
- 2.13 VACATION FOR ADMINISTRATORS**
- 2.14 EMERGENCY/PERSONAL LEAVE**
- 2.15 SABBATICAL LEAVE**
- 2.16 LEAVE OF ABSENCE**
- 2.17 PROFESSIONAL IMPROVEMENT**
- 2.18 RETIREE INSURANCE COVERAGE**
- 2.19 EARLY RETIREMENT NOTIFICATION**
- 2.20 PROPERTY RIGHTS AND PUBLICATIONS**
- 2.21 ALCOHOL AND DRUG ABUSE POLICY**
- 2.22 POLICY FOR A DRUG FREE WORKPLACE**

**ARTICLE II - ADMINISTRATION**

**2.23 DRESS CODE**

**2.24 VICTIMS' ECONOMIC SECURITY AND SAFETY ACT**

## **ARTICLE II - ADMINISTRATION**

### **2.00 PRESIDENT OF THE COLLEGE**

- A. The Chief Executive Officer shall be selected by the Board of Trustees and shall bear the title of President of the College. The Board of Trustees shall set the salary and term of office for the President of the College.
- B. The President of the College will meet with the Board of Trustees unless request to be absent has been granted or there are extenuating circumstances. The President of the College shall have no authority to preside or to vote except during the time when the Board of Trustees elects its President. In this situation, the President of the College will serve as chairperson and does not vote.
- C. The President of the College shall convene a cabinet to assist with administration of the college. The role of the cabinet is to execute the mission and vision of the president and board of trustees. Membership of the cabinet will be at the discretion of the president and may include members who do not directly report to the President. At a minimum the cabinet shall include Chief Financial Officer, Chief Academic Officer, Chief Student Affairs Officer, and Human Resources.
- D. The President of the College has the following responsibilities and duties:
  - 1. Provide leadership to the Board of Trustees and staff and make recommendations to the Board of Trustees as to the needs and well-being of the college.
  - 2. Prepare and recommend budgets which satisfy the provisions of law and the policies of the Board of Trustees.
  - 3. Recommend to the Board of Trustees all persons to be employed or discharged as an employee of the college.
  - 4. Administer the business and academic affairs of the college according to law and the policies of the Board of Trustees.
  - 5. Supervise the performance of all employees with authority to make needful rules and regulations and to delegate the appropriate authority to other employees of the college.
  - 6. Sign all instruments that require the signature of the chief executive officer.

## **ARTICLE II - ADMINISTRATION**

### **PRESIDENT OF THE COLLEGE - CONTINUED**

7. Preside over the faculty and delegate such authority to the appropriate administrator when deemed necessary.
8. Prepare for the Board of Trustees reports which are deemed advisable.
9. Appoint, with assistance of the appropriate administrator, all committees of the faculty, except the Faculty Advisory Committee and serve as ex-officio member of all faculty committees.
10. Prepare for the Board of Trustees an annual general calendar of the school year.
11. Make a formal evaluation at least once annually of all personnel reporting directly to the President of the College.
12. Perform all other duties usually associated with the Office of the President including any required by law or by action of the Board of Trustees. In no event shall the President of the College be authorized to perform any legal function of the Board of Trustees or its officers.

#### **2.02 SELECTION OF ADMINISTRATORS**

The selection of administrators will be the joint responsibility of the President of the College and other appropriate administrators. They will seek the aid of department heads in making selections. All persons to be employed will be nominated to the Board of Trustees by the President of the College, and employment will be subject to approval by the Board of Trustees as provided by the By-laws.

The College reserves the right to promote from within the College without conducting any search. All posted positions will be advertised in accordance with the state and federal laws governing equal opportunity employers.

Administrators will be defined as direct reports to the president of the college, with the exception of the Executive Assistant to the President and other departments or personnel that may report to the president on a temporary basis.

A change in status from administration or to administration must be approved by the president.

## **ARTICLE II - ADMINISTRATION**

### **2.03 HEALTH EXAMINATION**

The Board of Trustees reserves the right to require a candidate offered employment or re-employment to submit to and satisfactorily pass a physical examination by a physician to be designated by the College.

### **2.04 LETTER OF EMPLOYMENT**

Although the employment of administrators will be as provided in Section 2.20, SELECTION OF ADMINISTRATORS, the President of the College may issue a letter of employment which will be binding upon the Board of Trustees under the following circumstances:

1. The time of employment is late in the period preceding the opening of a semester and no meeting of the Board of Trustees is scheduled prior to the opening of the semester.
2. The position has been authorized by the Board of Trustees and the appropriate salary established.

### **2.05 TERMS OF EMPLOYMENT**

The period of employment shall be subject to contract terms.

Contracts for full-time administrators are subject to annual renewal and require Board of Trustee approval no later than April 14 of each year.

### **2.06 DISMISSAL**

- A. An administrator who is to be dismissed at the end of his/her contract period or who, for any reason, is not to receive a contract renewal including reduction in forces, shall receive notice in writing no later than the last business day in March. Failure to give such notice shall result in a renewal of the contract for the same salary and subject to the same conditions as the last contract issued. These provisions do not apply to part-time administrators or those who have been employed by a contract for less time than an academic year.
- B. Dismissal for Cause: Administrators may be discharged during the term of contract for one or more of the following causes: immorality, insubordination, dishonesty or fraud, inefficiency or incompetency in the line of duty, violation of Board policies or the laws of the United States or of the State of Missouri, conviction of a felony, physical or mental incapacity which prevents the employee from carrying out his/her

## **ARTICLE II - ADMINISTRATION**

### **DISMISSAL - CONTINUED**

assigned duties, or failure to comply with the terms and conditions of the written contract between the district and employee.

#### **2.07 EMPLOYEE DUE PROCESS**

Employees may appeal any decision alleging a violation of written Board Policy. In all cases the final board of appeal shall be the Board of Trustees, the governing body of the Community College District of the Mineral Area.

##### **Guidelines**

Except where a definite procedure exists, the following will serve as guidelines for all appeals:

1. Any employee wishing to make an appeal may have a Mineral Area College employee help advise and represent him/her in the due process procedure.
2. It will be the employee's sole responsibility to see that the appeal is placed through administrative channels within ten (10) days from the date of the alleged violation. Failure to satisfy the 10-day deadline will result in the dismissal of the appeal.
3. The President of the College will review the case referred to him/her and render a decision. In all cases a decision will be made only after consultation with the employee and the supervisor and/or administrator.
4. If an employee disagrees with a decision made by the President of the College he/she may submit an appeal to the Board of Trustees. The Board may hear the appeal or affirm the decision of the President without a meeting with the employee.
5. In order to protect the welfare of the employee, all appeals shall be reviewed and resolved in a timely manner.
6. No reprisals of any kind shall be taken against any employee for participation in the due process procedure.

## **ARTICLE II - ADMINISTRATION**

### **2.08 TERMS OF PAYMENT**

Unless otherwise specified in their contracts, administrators shall be employed for a fiscal year beginning in July. They shall receive salaries in twelve (12) approximately equal installments to be paid on the 10th day of each month.

### **2.09 CREDIT FOR OTHER EXPERIENCE**

Credit may be given to administrators for experience prior to employment by Mineral Area College.

### **2.10 SICK LEAVE**

The primary purpose of sick leave is to protect the staff member against losses due to illness. All full-time administrators are eligible for sick leave. Each full-time administrator shall accrue unlimited sick leave at the rate of 6.75 hours for each calendar month of contracted service. Whenever any full-time administrator is compelled to be absent from duty due to personal illness, full compensation for the maximum accumulated sick leave shall be allowed. Sick leave may be taken in increments of no less than one hour.

At the beginning of each school year, the amount of unused sick leave will be transferred to the new contract year and additional accumulations will be made, as earned, at the rate of 6.75 hours per contract month.

For absences in excess of 21 consecutive hours, the administrator may be required to submit medical documentation or other acceptable evidence of incapacity to work.

Employees absent for longer than 21 hours, related to the same illness or injury, are required to notify the Human Resource Office so that it may be determined whether the leave qualifies as family and medical leave.

Paid sick leave may also be used by employees with disabilities for the purpose of securing necessary treatment. Employees may be required to use their accrued sick leave during a leave of absence for their own serious health condition.

In the event of campus closure due to emergency or inclement weather, employees who have scheduled sick leave are not required to utilize paid time off for the amount of time campus is closed.

## **ARTICLE II - ADMINISTRATION**

### **2.11 PAY FOR UNUSED SICK LEAVE UPON RETIREMENT**

Administrators may accumulate unused sick leave.

Any administrator who retires from Mineral Area College or has been employed by Mineral Area College at least ten (10) years will receive reimbursement for accumulated sick leave according to the following rate determined by the appropriate formula effective at the beginning of the 1984-85 fall term of the academic school year.

average salary for top five years of employment or part thereof/1300=dollar amount/6.75=dollar amount per hour.

### **2.12 WORKERS' COMPENSATION**

Workers' compensation insurance benefits, in accordance with Missouri law, are available to all employees of the Mineral Area College District. If an employee is injured on the job, he/she must notify his/her supervisor immediately. Supervisors must notify the Human Resource office in order to file the claim and assist the employee in seeking medical attention. Employees are entitled to receive medical treatment for the work-related injury at no cost to the employee. Employees will be directed to a physician chosen by Mineral Area College, unless emergency services are necessary. If emergency services are necessary, the employee should be seen at the nearest treatment center available.

If an employee is unable to return to work per physician's orders, the employee may be eligible to receive temporary total disability. Employees do not receive

TTD benefits for the first three (3) regularly scheduled work days unless they are off the job for a total of fourteen (14) calendar days; at which time the employee will be reimbursed for the first three (3) days off the job. TTD benefits are calculated at two-thirds of the employees' average weekly wage not to exceed a maximum amount as set by legislature. TTD benefits cease when the employee is released by the physician and returns to work.

If after medical treatment the employee is not as physically able as he/she was prior to the injury, the employee may be assessed as having a permanent partial disability (PPD) and may have limitations or restrictions as to perform his/her job when he/she returns to work. Reasonable accommodations will be made for the injured employee if possible.

### **2.13 VACATION FOR ADMINISTRATORS**

During the first three years of employment, administrators of Mineral Area College will be allowed 67.5 hours of vacation in addition to the normal school holidays



## **ARTICLE II - ADMINISTRATION**

### **VACATION FOR ADMINISTRATORS - CONTINUED**

scheduled; thereafter, the vacation allowance will be 135 hours per year. The time of vacation shall be scheduled in accordance with the needs of the College and, as nearly as possible, at the convenience of the administrator. It is doubtful that the entire vacation can be scheduled at any one time period. Vacation approval is contingent upon work completion and submission of requested reports. Vacation requests for one week or more shall be made to the President of the College two weeks in advance. In the absence of the President, all vacation requests shall be submitted to the President's office. Vacation accrued during any fiscal year shall be taken by the end of the following fiscal year (before June 30). When an employee resigns, retires or is terminated, accrued vacation must be used before the separation date.

In the event of campus closure due to emergency or inclement weather, employees who have scheduled vacation are not required to utilize paid time off for the amount of time campus is closed.

#### **2.14 EMERGENCY/PERSONAL LEAVE**

Each administrator may be allowed up to 21 hours per year for emergency, funeral, or personal business leave. Such leave will be non-accumulative and may be taken in no less than one hour increments. Prior approval should be secured from the appropriate administrator. Uses of emergency/personal leave in excess of 21 hours per year will be recorded and reported to the Board of Trustees.

Administrators shall complete the "Report of Absence" form upon return from emergency/personal leave.

In an extraordinary situation, the President of the College may approve emergency/personal leave in excess of 21 hours per year; full salary will be paid for such leave. In this case, sick leave will be utilized.

#### **2.15 SABBATICAL LEAVE**

Sabbatical leave for academic self-improvement may be granted by the Board of Trustees to administrators who have completed seven (7) years of service to the college. Sabbaticals which are granted by the Board of Trustees will be contingent upon the recommendation of the President of the College and upon availability of funds.

A sabbatical leave may be granted for an entire annual contractual period, during which time the administrator shall receive one-half of his/her regular salary.

## **ARTICLE II - ADMINISTRATION**

### **SABBATICAL LEAVE - CONTINUED**

An administrator who is granted sabbatical leave shall agree to return to Mineral Area College for at least two years following the leave. Should the administrator remain only one year, one-half of the sabbatical stipend must be repaid. Should an administrator not return at all, all of the salary received while on sabbatical leave must be repaid. If an administrator is unable to complete the two year commitment for reason of not being offered a contract, the employee will not be required to repay the sabbatical stipend.

Time on sabbatical leave will count as regular service and will not interrupt an administrator's term of service.

### **2.16 LEAVE OF ABSENCE**

Leave of absence may be granted to an administrator without remuneration if a request for leave is submitted in sufficient time to permit securing an adequate temporary replacement.

### **2.17 PROFESSIONAL IMPROVEMENT**

Each administrator will be expected to seek professional improvement on a continuing basis. The Board of Trustees recognizes the value of continued professional improvement to Mineral Area College, to the community, and to the individual administrator living in a dynamic, changing society.

An administrator pursuing an advanced degree or a program may apply to the President of the College for compensation for tuition and fees. The program of study must be related to current job duties and responsibilities. Requests for compensation must be approved in advance of registration for courses or programs. Reimbursement will be based on charges made by the University of Missouri (Columbia) for similar credit.

### **2.18 RETIREE INSURANCE COVERAGE**

Per RsMo 169.590, any employee retiring shall have the option of continuous insurance coverage.

Retirees are responsible for payment of insurance premiums.

## **ARTICLE II - ADMINISTRATION**

### **2.19 EARLY RETIREMENT NOTIFICATION**

The College strives to recruit, employ and appropriately train replacement employees in a timely fashion. To enhance the College's hiring process, full-time employees who have worked full-time for at least 5 years may qualify for a monetary incentive in an amount to be set by the Board of Trustees. The monetary incentive is contingent upon the Board of Trustees receiving, by February 1, the employee's written intent to retire effective beginning the following fiscal year.

### **2.20 PROPERTY RIGHTS AND PUBLICATIONS, TEACHING AIDS, MATERIALS, AND EQUIPMENT WRITTEN OR DEVELOPED BY ADMINISTRATORS**

- A. All property rights to books written, instructional materials developed (including workbooks, laboratory manuals, transparencies, audio tapes, video tapes, films, and the like) and equipment designed, developed, or invented by an administrator in conjunction with his/her job or teaching assignment, with an extended time or released time or assigned project authorized or directed by the college district or written, developed or designed prior to becoming a member of the college staff, shall belong to said administrator. Such property rights shall, subject to paragraph three hereof, include:
1. The right to publish for private profit and the right to copyright any book, manual, or printed official material, and
  2. The right to negotiate privately with any person, firm, or corporation for the manufacture of any equipment or instructional materials and the right to acquire any patent rights which may be obtainable thereon.
- B. The property rights in joint projects of administrators undertaken either as a part of a job or teaching assignment, released time, or assigned project, or on their own time, shall be shared by the participants in the manner upon which they shall agree, in writing.
- C. Notwithstanding the property rights of any administrator in any books, teaching aids, or equipment published, developed, or designed by said administrator, Mineral Area College shall, to the extent that said book, teaching aid, or equipment was written or designed in conjunction with an extended or released time project or program, have a joint property right therein.

## **ARTICLE II - ADMINISTRATION**

### **PROPERTY RIGHTS AND PUBLICATIONS, TEACHING AIDS, MATERIALS, AND EQUIPMENT WRITTEN OR DEVELOPED BY ADMINISTRATORS - CONTINUED**

Said joint property right shall entitle the district to use or purchase said book, teaching aid, or equipment regardless of copyrights or patents thereon and exclusive of any royalties, commissions, or other pecuniary profit to the applicable administrator until such time as the college district has been reimbursed from said royalties, commissions or other pecuniary profit to the extent and amount that the college district paid for that part of the project or program which resulted in the creation of the book, teaching aid, or equipment, not to exceed the administrator's pay rate for a like amount of time at the part-time salary rate for his particular salary category and such other costs as may be involved in the project.

Once such reimbursement has been made, all royalties, commissions, or pecuniary profit thereafter earned by the sale of any said book, instructional material, or equipment to any purchaser thereof shall belong exclusively to the administrator who published, developed, or designed said book, instructional material, or equipment.

- D. Employment of any administrator by Mineral Area College binds that administrator to the board policy as described above.

#### **2.21 ALCOHOL AND DRUG ABUSE POLICY**

- A. All members of the campus community (students, faculty, staff, alumni, and guests) must adhere to all applicable state and local laws and college regulations related to the sale and use of alcoholic beverages and other drugs.
- B. No faculty or staff member shall secure or serve illegal drugs to any student engaged in any college related activity. The consumption, possession, or sale of illegal drugs is strictly forbidden on campus.
- C. No faculty or staff member shall secure or serve alcoholic beverages to any student engaged in any college related activity. The consumption, possession, or sale of alcoholic beverages is strictly forbidden on campus, except for special circumstances approved by the President of the College. The president must notify the Board of Trustees of any exceptions.

## **ARTICLE II - ADMINISTRATION**

### **ALCOHOL AND DRUG ABUSE POLICY - CONTINUED**

- D. Anyone under the influence of alcohol or illegal drugs or otherwise violating college policy regarding drug abuse shall be subject to disciplinary action.
- E. An educational program shall be provided addressing the problems of alcohol and drug abuse. The program will include information services, posters, and brochures.
- F. Counseling will be available to all personnel identified as having drug and/or alcohol related problems, leading to appropriate referrals.
- G. Disciplinary proceedings for drug/alcohol related abuses shall be conducted using current policies of Mineral Area College.

### **2.22 POLICY FOR A DRUG FREE WORKPLACE**

WHEREAS, it is recognized by the Mineral Area College Board of Trustees, Park Hills, Missouri, that it is necessary that all college employees report to work on time and in an appropriate mental and physical condition for work; and

WHEREAS, the Board of Trustees wishes to establish a policy pertaining to maintaining a drug-free workplace.

NOW, THEREFORE, BE IT RESOLVED that the following policy be adopted:

- A. The manufacture, distribution, dispensation, in the College District's workplace, of a controlled substance (as defined by Chapter 195 RSMo) is prohibited. Violations of this shall result in the immediate termination of the violating employee.
- B. The unlawful use of a controlled substance (as defined by Chapter 195 RSMo) is hereby prohibited and shall result in disciplinary action (including the possibility of suspension or discharge) to the violating employee.

Any employee who comes to work or is at work while under the influence of alcohol or who consumes alcohol at work shall be subject to the same disciplinary action as provided above for employees involved with the unlawful use of a controlled substance.

## **ARTICLE II - ADMINISTRATION**

### **POLICY FOR A DRUG FREE WORKPLACE - CONTINUED**

- C. Any employee convicted of a drug crime shall report their said conviction within two (2) days after said conviction.
- D. Compliance with the provisions of this policy is a condition of an employee's initial and continuing employment.

#### **2.23 DRESS CODE**

MAC employees are expected to dress in a professional manner that adheres to the standards appropriate for the nature of their work as defined by their supervisor. Employees are expected to dress in a manner that is not offensive, suggestive, distracting, or insulting to others. Supervisors are responsible for setting and enforcing these expectations.

#### **2.24 VICTIMS' ECONOMIC SECURITY AND SAFETY ACT**

Employees who are victims of domestic or sexual violence or who have a family/household member who is a victim of domestic or sexual violence will be provided reasonable accommodations and up to two workweeks of unpaid leave during a twelve-month period.

Affected employees may take the leave to:

- Seek medical attention or recover from the physical or psychological injuries caused by domestic or sexual violence to them or their family/household member.
- Obtain services from a victim services organization for themselves or their family/household member.
- Obtain counseling for themselves or their family/household member.
- Participate in safety planning, temporarily or permanently relocate, or take other actions to increase their safety or the safety of their family/household member.
- Seek legal assistance or remedies to ensure their health and safety or the health and safety of their family/household member, including preparing for or participating in any civil or criminal legal proceeding related to the domestic or sexual violence.

Employees who seek to use such leave must provide notice as prescribed by the Victims' Economic Security and Safety Act. The statute requires forty-eight hours of advance notice to the employer unless providing such notice is not practicable.

## **ARTICLE II - ADMINISTRATION**

*Article 2 Amended 6-11-15; removed tobacco-policy (2.71)*

*Article 2 Amended 10-15-15; amended 2.06 and added 2.13*

*Article 2 Amended 6-15-17*

*Article 2 Amended 8-10-17; leave policy (2.40, 2.41, 2.43, 2.44)*

*Article 2 Amended 11-16-17; added section 2.52*

*Article 2 Amended 10-10-19; added section 2.73*

*Article 2 Amended 5-14-20; removed administration job descriptions, defined cabinet.  
(2.02-2.15)*

*Article 2 Amended 03-11-21; amended 2.06A (effective 07-01-21)*

*Article 2 Amended 10-14-21; added VESSA Policy 2.24*