

PROGRAM SPECIALIST POLICY AND PROCEDURES

Accountability: Budget and budget review officers, affirmative action officer, provost, vice presidents

Purpose: To provide a comprehensive statement of personnel policies and procedures which defines the category of program specialist appointments and provides employment procedures.

Policy Statement

It is the policy of Fort Hays State University to provide employment policies and procedures which are specific to each category of employee. Unclassified employees include 1) faculty, 2) administrators, and 3) program specialists. The statements and procedures outlined in this document provide employment conditions specifically for program specialists. General University policies shall also apply to program specialists.

Administration and Policy Interpretation

It shall be the responsibility of the president and provost to administer these **policies and procedures** for program specialists in their respective areas. The president and provost may delegate authority to administer these policies and procedures as appropriate.

Assistance in interpreting these guidelines is available from the Affirmative Action Officer and the provost.

The affirmative action responsibilities of the University for program specialist appointments shall be exercised by the Affirmative Action Officer. These responsibilities shall include monitoring employment activity (e.g., appointment process and review of salary recommendations) for the purpose of insuring compliance with Federal and State statutes and regulations.

Program Specialist Appointments

1. Definition: Program specialist appointments are those unclassified appointments requiring special technical or administrative skills of a professional nature distinct and separate from teaching/research roles of the faculty and from the direct administrative responsibility for faculty supervision. Program specialists appointments do not carry academic rank.

On occasion, program specialists might become involved in the teaching of classes in the University. If this should happen, the teaching of courses which can be applied to a student's academic program and which generate SCH for the academic department shall NOT be more than 25 percent of the program specialist's work assignment. The program specialist must possess appropriate academic credentials and preparation for the teaching activity. The chair of the department offering such courses must be given supervisory authority over the program specialist who is teaching.

2. Appointment Statuses: Recommendation of the appropriate status (provisional, regular, temporary) for a new appointment is the responsibility of the budget unit supervisor. Approval of the recommendation by the budget officer and the provost or president must be obtained prior to making the appointment.

A program specialist in any appointment status may be terminated for just cause related to the performance of or failure to perform his/her duties or for violation of the directives, rules, and regulations, of the institution, the Board of Regents, and the laws of the State of Kansas, or the United States.

- a. Provisional: Appointments which may lead to regular status. Upon completion of three years of provisional employment, a person will be placed in regular status, unless notice of non-reappointment has been provided. Persons entering in provisional status may be granted up to two years of prior service credit toward the provisional appointment period. Provisional appointments may be terminated for any reason at the end of a contract period. Notice of non-reappointment is not required during the first year of appointment; at least three months notice is required during the second and third years of employment.

Termination of any program specialist appointment within a contract period requires the University to assume the burden of proof in establishing just cause.

- b. Regular: Regular status shall be given to those program specialists who have completed a provisional appointment and/or who have reached the level of expertise and/or experience deemed appropriate by the president, provost, and/or vice presidents for the type of position held.

Appointments may be terminated without cause at the end of a contract period with one year's notice. Appointments may be terminated with just cause at the end of a contract period with one month's notice. In case of termination for cause, the program specialist may be relieved of duties or reassigned during the period of the termination for cause proceedings and notice period and will continue in the same pay status.

- c. Temporary: Appointments which are for a fixed period of time shall be specified in the appointment contract.

Temporary appointments will terminate at the end of a contract period and carry no expectation of reappointment. Notice of non-reappointment is not required. Persons may not be changed from temporary to provisional status without an affirmative action search or the approval of the president and/or provost.

All program specialist employment contracts will indicate the employee's appointment status. Any program specialist appointment may be terminated at the end of a contract period for reasons of program discontinuance or reorganization and/or financial exigency.

3. Position Descriptions, Title and Assignment Changes, and Reclassification

- a. Position Descriptions: A position description will be written and maintained for each program specialist position. A standard format (provided by the Office of the Provost) will be followed. The position description, after appropriate approvals have been obtained, shall be provided to the Affirmative Action Officer for information and to the provost. A position description must be written and approved prior to recruitment. It should be reviewed and updated, if necessary, annually as part of the performance appraisal process.
- b. Title Changes: Changes in title may be made without an affirmative action search. Budget officers should recommend a change in title to their budget review officer and the provost through an appropriate form and justification memorandum. A copy of the form and justification shall be provided to the Affirmative Action Officer for information as part of the affirmative action monitoring process.
- c. Changes in Assignments: Changes in assignments may be made without an affirmative action search, provided the scope and level of the position is not significantly altered. Budget units should recommend changes in assignments to their administrative supervisor and the provost through a revised position description and memorandum of explanation, if appropriate. The position description shall be forwarded to the Affirmative Action Officer for information as part of the affirmative action monitoring process.

4. Salary Administration

Budget units shall prepare salary recommendations for program specialist personnel according to guidelines issued by the University Office of Budget and Planning. These guidelines are in accordance with salary policies determined by the president and provost. Salaries for new program specialist appointments or recommendations for changes in salary for current program specialists will be reported to the Affirmative Action Officer for the purpose of insuring compliance with federal and state affirmative action regulations. Adjustments in salaries will consider 1) merit as indicated by performance appraisal, 2) internal equity, 3) external competitiveness for similar positions, 4) federal and state laws and regulations, and 5) University policy.

- a. Evaluation: Program specialists are to be evaluated at least annually and evaluation forms submitted through the appropriate channels to the provost. Evaluation criteria and forms will be developed by the budget unit to which the program specialist is assigned.
- b. Leaves: All matters pertaining to leaves shall be governed by the terms and conditions found in the **Fort Hays State University Faculty Handbook** for unclassified personnel.
- c. Retirement Plan: All program specialists employed half-time (.5 FTE) or more shall participate in the retirement plan established by the Kansas Board of Regents, beginning on the first day of the pay period coinciding with or next following the completion of one year of service in an eligible category.

In lieu of participating in the Regents' plan, eligible program specialists, having accrued retirement benefits under the Kansas Public Employees Retirement System (KPERS), may elect to continue in KPERS. Conversely, participants in the Regents' plan, transferred or reclassified to a position that qualifies for participation in KPERS, may elect to continue participating in the Regents plan. Only one such election may be made by a program specialist.

A newly employed program specialist shall begin participation in the Regents plan upon employment, if at that time of employment the program specialist is eligible for immediate participation pursuant to K.S.A. 74-4925, as amended.

Contributions to the plan will be made on a regular basis during years of participation, except for periods in which no salary is paid. The employer presently contributes 8.5 percent of the program specialists' salary and the program specialists are required to contribute 5.5 percent of salary for the retirement plan. A separate voluntary tax deferred program is also available to eligible program specialists in several alternate investment options through several alternate investment providers approved by the Board of Regents.

- d. Benefits: Policies and information pertaining to other benefits available to program specialist personnel may be found in the ***Fort Hays State University Faculty Handbook***.

5. Disciplinary Action and Termination

- a. Disciplinary Action: Budget units are responsible for making every effort to prevent serious personnel problems. Efforts should be directed toward assisting and improving program specialist performance rather than toward punitive disciplinary action. When disciplinary action becomes necessary due to misconduct and/or unsatisfactory performance, the budget unit supervisor must: 1) orally discuss and document the unacceptable behavior/performance with the program specialist, 2) outline the expectations for improved behavior/performance, and 3) specify the length of time by which improvement must be evident. If the unacceptable behavior/performance continues, a second discussion should be conducted and the budget officer shall provide a letter to the program specialist which indicates: 1) requirements for improvement, 2) time frame for meeting the requirements, and 3) the consequences of failure to meet these requirements. If the requirements are not met by the established deadline, the consequences outlined in the letter must be initiated. Examples of appropriate disciplinary action may include, but are not limited to: a letter of reprimand, a zero salary increase for the next fiscal year, notice of non-reappointment, and/or a recommendation of termination for just cause. These guidelines address the bulk of situations requiring discipline. However, there are times when major infractions occur which require moving immediately to a suspension or termination. There are also times when a step may be repeated or skipped. It is advisable to contact the Affirmative Action Officer and the provost.
- b. Termination for Just Cause: The steps outlined in 1.1. above must be followed before initiation of the procedures seeking termination for just cause. Following initiation by the budget unit, the recommendation seeking termination for just cause must be approved by the budget unit supervisor and president or provost.
- c. Termination Within a Contract Period: When circumstances arise which warrant termination before the end of a contract period, a meeting of the program specialist's budget unit, budget unit supervisor, and the president or provost to discuss the situation must occur. The program specialist must subsequently be presented with the charges against him/her and afforded an opportunity to respond to those charges. The program specialist may have a member of the University community present with him/her at the meeting where the charges are presented and discussed with the program specialist. This person may not attend in the capacity of legal counsel.

If, after discussion with the program specialist, termination within the contract period is still deemed appropriate, the president or provost must notify the program specialist in writing of the termination action and of his/her rights to appeal.

6. Grievance Procedures: Program specialists should use the grievance procedure in Chapter 1 of the **FHSU Faculty Handbook** to resolve internal disputes. A program specialist who has a grievance must make a bona fide effort to resolve the matter informally through University channels.
 - a. Professional Development: Continuing education and development opportunities are considered mutually beneficial to the program specialist and the University. Program specialists shall enjoy the same opportunities for professional development as regular faculty.
 - b. Changes in Category: If a person who is in the tenured faculty category at the University enters into a program specialist position then this person's tenure rights and status will continue. As is the case with tenured administrators, the option to move back to a tenured faculty teaching position will remain. A program specialist who moves into a full-time faculty position will be expected to then meet the performance and credential standards of teaching faculty.

Effective Date

This policy is effective as of the date of approval by the President and is subject to revision at any time.

Approved by President Edward H. Hammond 12/09/93