

**PENSACOLA STATE COLLEGE**  
**POLICIES OF THE DISTRICT BOARD OF TRUSTEES**

Policy Title:	Employment and Dismissal of the President	<u>Number</u> 6Hx20-1.014
Legal Authority:	s. 1001.64, Fla. Stat.	<u>Page</u>
Law Implemented:	s. 1001.64(19), Fla. Stat.	Page 1 of 3

The Board of Trustees shall immediately notify the State Board of Education of the appointment, suspension, dismissal, or death of the President.

**I. Selection.**

The Board, in appointing a President, shall select persons qualified for the position and competent to perform the duties and responsibilities of the position. The minimum basic qualification is an earned doctorate or the equivalent. If the Board chooses to recognize an equivalency, it shall specify the education, experience, and other elements deemed to constitute equivalency, and notify the State Board of Education of them. The Board shall seek and interview persons with the highest qualifications for educational leadership. The Board shall consider particularly the candidate's education, experience in community colleges and related fields, understanding of community college programs, and demonstrated leadership ability. In seeking qualified candidates, the Board may appoint a search committee.

**II. Contract**

The President shall be provided a written contract. The contract shall be for at least one (1) year, but no more than four (4) years.

**III. Evaluation**

At the time the contract is issued, the Board shall inform the President of his or her duties and responsibilities, of the procedure by which performance shall be evaluated, and of the criteria for evaluation. Evaluations shall cover each duty and responsibility, whether assigned by the Board or specified in law or rule. The Board shall evaluate the President annually. The evaluation and findings shall be in writing, and shall be submitted, immediately after acceptance by the Board to the State Board of Education for review.

**IV. Suspension and Dismissal by the Board**

The President may be suspended or dismissed by the Board at any time for cause, provided that the President may not be dismissed without opportunity to be heard at a public hearing after at least fourteen (14) days notice of the charges against the President and of the time and place of hearing; and provided further that the charges must be based on immorality, misconduct in office, incompetency, insubordination, willful neglect of duty, drunkenness, conviction of a crime involving moral turpitude, or breach of contract.

A petition conforming to the requirements of the model rules of procedure, Rule 28-106, F.A.C., specifying the charges and notifying the President of his or her hearing rights shall be prepared by the Board attorney and filed with the Board and a copy served upon the President. Whenever such charges are made against the President, the Board may suspend the President without pay, pending a speedy, informal hearing, if requested by the President. At any such informal hearing the Board shall determine the necessity to suspend and withhold pay, and whether probable cause exists to support the charges. If the Board determines that probable cause exists to support the charges and there exists a necessity of continuing the suspension without pay, then it may do so, but if the charges are not sustained upon final hearing, the President shall be immediately reinstated and back salary shall be paid. If the Board determines that there is no necessity to suspend without pay, then it shall reinstate the President with pay, and, further, it may dismiss the charges if it determines that probable cause does not exist to support same. In cases where a petition for dismissal of the President has been filed with the Board, the Board shall hold a public hearing in accordance with the provisions of s. 120.57, Fla. Stat., and the model rules of procedure, Chapter 28, F.A.C., unless the parties mutually agree to an alternative hearing procedure. If a hearing is requested by the President, after notice as provided above, the Board shall determine upon the evidence as submitted whether the charges have been sustained and if the charges are sustained, either to dismiss the President or fix the terms under which the President may be reinstated. If such charges are sustained by a majority vote of the full membership of the Board and the President is discharged, the contract of employment shall be thereby canceled.

Nothing in this rule shall preclude a Board from utilizing the services of a hearing examiner to conduct either formal or informal hearings.

**V. Suspension by the Commissioner**

The President may also be suspended for cause by the Commissioner with State Board of Education approval; in which case, the Board shall meet immediately to review the evidence establishing cause and to continue the suspension, or dismiss or reinstate the President. The Board shall report immediately its actions and rationale to the State Board of Education.

**VI. Appointment of Acting President**

- A. In the event of the President's death, suspension, or dismissal, the Board Chair will immediately appoint an "Acting President" to act and serve until the Board has selected an "Interim President."
- B. The Board Chair will serve as the spokesperson on all matters relating to the immediate designation of an Acting President.
- C. The role of the Acting President is to act as an immediate short term substitute for the President. Should the Acting President serve for longer than 30 days, the Board will negotiate compensation appropriate to the duties involved.

- D. If the position of President remains vacant in excess of 180 days, the Board shall appoint an Interim President and negotiate a contract for such period of time until the position of President is filled.

History:	Adopted 11/20/84 as 6Hx20-14.26; repromulgated 11/19/85; amended 2/21/06; amended 9/17/13.
President's Signature:	Date: 02/21/2017
	