

Policy Number: 1100

Policy Name: Designation, Appointment, and Termination of Administrative and Professional (AP) Employees

Responsibility for Maintenance: Director of Human Resources

Effective Date: February 5, 2016

Last Updated: May 4, 2026

I. Policy Statement

Administrative and Professional (AP) employee positions manage a department or sub-department of a major academic or administrative unit. Typically, AP positions (1) require a high level of knowledge, discretion, independent judgment, and advanced education and/or prolonged, specialized experience; (2) are exempt employees under the provisions of the Fair Labor Standards Act (FLSA), and therefore not subject to the FLSA provisions governing the payment of overtime; and (3) report directly, or through one other person, to the President.

Examples of such positions are: the heads of departments such as student life, athletics, human resources, campus safety and police, information and technology services, and capital assets and operations. AP employees are at-will employees appointed by the President pursuant to authority delegated by the Board of Visitors.

II. Reason for Policy

The purpose of this policy is to describe the conditions and procedures for the designation, appointment, and termination of AP employees. Pursuant to Virginia Code § 2.2-2901, policies shall be established for the designation of administrative and professional faculty positions at institutions of higher education. "Those designations shall be reserved for positions that require a high level of administrative independence, responsibility, and oversight within the organization or specialized expertise within a given field as defined by the [Board of Visitors]." This policy provides guidance for, and authorizes, the President to designate AP positions in accordance with procedures set forth herein.

III. Applicability of the Policy

This policy applies to the College's AP faculty.

IV. Appointments

AP employees may be appointed under one of the following appointment types.

A. Regular (Continuing) Administrative Appointments

Regular administrative appointments are full-time administrative appointments made by the President and may include probationary appointments and continuing appointments, as described below.

1. Probationary Appointments

Eligible full-time professional administrators normally serve a probationary period prior to consideration for a Continuing Appointment.

- a. The probationary period normally consists of four (4) consecutive one-year administrative appointments.

- b. Annual performance evaluations are required and must use institutionally approved, merit-based criteria.
- c. Satisfactory performance during the probationary period does not guarantee the award of a Continuing Appointment.

2. Continuing Appointments

A Continuing Appointment is a regular administrative appointment that continues on a year-to-year basis following successful completion of the probationary period and approval by the President. Continuing Appointments are intended to:

- Promote leadership stability and institutional effectiveness;
- Improve efficiency in the annual appointment process; and
- Reinforce performance accountability through periodic review.

Continuing Appointment is not tenure, does not create a property right or contractual entitlement, and does not alter the College's authority under Virginia law to terminate employment for lawful reasons.

Continuing Appointments remain subject to:

- Continued satisfactory performance;
- Periodic post-appointment review;
- Termination for just cause;
- Financial exigency; or
- Programmatic, organizational, or position change.

B. Restricted Appointments

Restricted appointments are positions that are funded through sponsored contracts or grants. Restricted appointments terminate upon the expiration of the supporting funding source. The position may be continued if an additional funding source, such as a subsequent grant, is available. No additional notice beyond the termination date of the sponsored contract or grant is required for the employment to end. Failure to provide notice of termination will not prolong employment beyond the sponsored contract's or grant's funding period.

C. Specified-term Appointments

Specified-term appointments are made for a specified period or project and terminate on the date specified without automatic renewal or notice unless otherwise stated in the employment agreement. All part-time administrative appointments are considered specified-term unless otherwise specified. Failure to provide notice of termination will not prolong employment beyond a specified term.

D. Reassignments

The President retains complete discretion to reassign administrative duties and titles, and reporting relationships at any time, subject to salary review requirements and notice provisions as outlined in existing policy.

V. Eligibility and Transition of Incumbent Administrators

A. Covered Employees

The Continuing Appointment framework applies only to full-time professional administrators appointed by the President.

B. Exclusions

This framework does not apply to:

1. Classified staff
2. Faculty (full-time, part-time, or adjunct)
3. Grant-funded, restricted, term-limited, or project-based appointments

C. Transition of Incumbent Administrators

Incumbent professional administrators holding full-time administrative appointments as of the effective date of this section shall be transitioned into the Continuing Appointment framework, subject to satisfactory performance.

1. Prior consecutive full-time administrative service at the College with satisfactory performance shall count toward the applicable probationary or review cycle.
2. Consecutive service may include service in more than one qualifying administrative position, provided there is no break in full-time service.

VI. Criteria for Awarding a Continuing Appointment

Eligibility for a Continuing Appointment is based on the four (4) most recent annual evaluations, demonstrating:

1. Sustained satisfactory or better performance;
2. Effectiveness in assigned administrative responsibilities;
3. Adherence to ethical and professional standards; and
4. Contributions aligned with the College's mission and institutional priorities.

VII. Review and Approval

A. Review Process

Continuing Appointment review includes:

1. Assessment by the immediate supervisor;
2. Review by the President (or designee); and
3. Verification of eligibility and documentation by Human Resources.

B. Approval Authority

The President is the appointing authority pursuant to delegation from the Board of Visitors. Approved Continuing Appointments shall be reported to the Board of Visitors for informational purposes.

VIII. Post-Appointment Review

A. Review Cycle

Administrators with Continuing Appointments shall participate in post-appointment review every four (4) years, or more frequently as directed by the President.

B. Purpose

Post-appointment review supports:

1. Continued alignment with institutional goals;
2. Leadership development; and
3. Early identification of performance concerns.

C. Outcomes

Post-appointment review may result in:

1. Continuation without conditions;
2. Continuation with a written improvement plan; or
3. Recommendation for termination for cause, consistent with due process and College policy.

IX. Separation, Termination, and Severance for AP Employees

A. Elimination or Reduction of Positions

1. Operational or Budgetary Reasons

The College may, at its discretion, eliminate or reduce an AP position at any time when, in the judgment of the College, the position is no longer required or services can be reduced due to operational needs, organizational changes, or budgetary constraints. Actions may include elimination of the position, reduction in full-time equivalent status or modification of duties. Actions taken under this section are management decisions made in the best interest of the College and are not disciplinary in nature.

2. Notice

Except as otherwise provided by written appointment, affected AP employees may be provided at least ninety (90) days' written notice prior to the effective date of a position elimination or reduction. Nothing in this section guarantees continued employment or limits the authority of the College to act consistent with law or contract terms.

3. Reduced Positions

If a position is reduced in scope or status, the AP employee may decline the revised assignment. A declination may be treated by the College as an involuntary separation for purposes of severance eligibility, subject to applicable appointment terms.

4. Work Status During Notice Period

Unless otherwise determined by the College, employees are expected to continue performing assigned duties during the notice period. The College may, at its discretion, place an employee on paid administrative leave through the effective separation date.

5. Specified-Term Appointments

If the affected position is covered by a specified-term appointment, the College and the employee may mutually renegotiate contract terms. If no agreement is reached, separation will occur as determined by the College, and severance may be provided in accordance with applicable policy.

B. Administrative Leave and Leave Accrual

AP employees placed on paid administrative leave in connection with an involuntary separation, position reduction, or negotiated separation do not accrue vacation leave during the administrative leave period. Vacation accrued prior to administrative leave remains subject to applicable carryover and payout provisions in effect at the time the leave begins.

C. Termination for Cause

The College may terminate an AP employee immediately for cause. Cause includes, but is not limited to:

- Dishonesty, fraud, or unethical conduct

- Falsification of records or credentials
- Misuse or misappropriation of College funds or property
- Serious or repeated violations of law or College policy
- Malfeasance or gross misconduct
- Serious or repeated insubordination
- Conduct materially harmful to College operations or reputation
- Criminal conduct related to employment or that renders continued employment inappropriate
- Job abandonment or refusal or inability to perform assigned duties
- Unsatisfactory performance in accordance with applicable performance evaluation policies

Employees terminated for cause are not eligible for severance benefits.

D. Termination Without Cause (Separation)

1. Definition

“Separation” means termination without cause and without fault on the part of the employee. Separation decisions are management actions and are grievable only as expressly provided in policy.

2. Notice Requirements

Except where a different notice period is specified by written appointment or contract or elsewhere in this policy, AP employees may be separated following notice based on total continuous full-time service with the College, including prior full-time service in other AP positions. Notice periods may begin at any time and are not tied to the fiscal or academic year. During the notice period, duties and assignments may be modified. Supervisors must consult with Human Resources and obtain approval from the President or designee prior to issuing notice

NOTIFICATION OF SEPARATION FOR AP EMPLOYEES	
Years of Continuous College Service	Required Notification Period
Up to 1 Year	30 Days
More than 1 Year and up to 4 Years	90 days
More than 4 and up to 10 Years	180 days
More than 10 years	270 days

E. Resignation

AP employees who voluntarily resign must submit a written resignation to the President. Employees are expected to provide at least thirty (30) calendar days' notice unless a different notice period is required by written appointment or contract.

F. Negotiated Separation Agreements

The College may, at its discretion, enter into a negotiated separation agreement with an AP employee when continuation of the employment relationship is no longer in the best interests of the College or the employee. Negotiated separations may include mutually agreed upon terms related to separation date, pay, and benefits. Negotiations do not limit the College's authority to discontinue negotiations or to proceed under other applicable provisions of this policy or appointment terms. Employees who enter into negotiated separation agreements waive access to the College's grievance process as a condition of the agreement.

G. Access to Grievance Process

AP employees may access the College's AP grievance procedure only when involuntarily separated due to position elimination or reduction, except where separation occurs for cause or pursuant to a negotiated separation agreement. No other separations or terminations under this policy are grievable unless required by law.

H. Severance Benefits

1. Eligibility

Severance benefits may be offered to AP employees who are involuntarily separated and who meet the following criteria:

- a. Full-time AP employees on regular appointments
- b. AP employees on specified-term appointments, to the extent required by written appointment or contract and absent renegotiation.

The following are not eligible for severance benefits:

- a. Employees terminated for cause
- b. Employees on restricted appointments funded by grants or sponsored contracts, unless explicitly provided for in the applicable agreement.

2. Severance Calculation

Eligible employees will receive written notice specifying severance terms. Severance shall not exceed the remaining enforceable gross salary obligation under the current appointment or contract and is subject to required withholdings and legal requirements.

Payment of severance beyond earned compensation may be conditioned upon the employee's execution of a separation and release agreement in a form approved by the College

X. Administration

Human Resources is responsible for:

- Implementation and compliance with this policy;
- Tracking probationary and Continuing Appointments;
- Maintaining appointment documentation; and
- Providing automated post-appointment review notifications.

XI. Related Documents

RBC Policy 1030: Administrative & Professional Leave Policy
Grievance Procedure for AP Employees.

XII. Contacts

OFFICE	TITLE	TELEPHONE NUMBER	EMAIL
Human Resources	Director of Human Resources	(804)862-6100, ext. 6409	rbchr@rbc.edu