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**Kern Community College District  
Administrative Procedure  
Chapter 7 – Human Resources**

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**AP 7215 Academic Employees: Probationary Contract Faculty**

**References:**

Education Code Sections 87600 et seq.

NOTE: This procedure is **legally advised**.

The District shall employ a faculty member for the first academic year of his/her/their employment by contract. Any person who, at the time an employment contract is offered to him/her/them by the District, is neither a tenured employee of the District nor a probationary employee then serving under a second or third contract shall be deemed to be employed for "the first academic year of his/her/their employment."

A faculty member shall be deemed to have completed his/her/their first contract year if he/she/they provides service for 75 percent of the first academic year.

Before making a decision relating to the continued employment of a contract employee, the following requirements shall be satisfied:

- The employee shall be evaluated in accordance with the evaluation standards and procedures established in accordance with law.
- The Board shall receive statements of the most recent evaluations.
- The Board shall receive recommendations of the Chancellor
- The Governing Board shall consider the statement of evaluation and the recommendations in a lawful meeting of the Board.

If a contract employee is working under his/her/their first contract, the Board, at its discretion, shall elect one of the following alternatives:

- Not enter into a contract for the following academic year.
- Enter into a contract for the following academic year.
- Employ the contract employee as a regular employee for all subsequent academic years.

If a contract employee is working under his/her/their second contract, the board, at its discretion, shall elect one of the following alternatives:

- Not enter into a contract for the following academic year.
- Enter into a contract for the following two academic years.
- Employ the contract employee as a regular employee for all subsequent academic years.

If a contract employee is employed under his/her/their third consecutive contract, the Board shall elect one of the following alternatives:

- Employ the probationary employee as a tenured employee for all subsequent academic years.
- Not employ the probationary employee as a tenured employee.

The Governing Board shall give written notice of its decision and the reasons therefore to the employee on or before March 15 of the academic year covered by the existing contract. The notice shall be by registered or certified mail to the most recent address on file with the District personnel office. Failure to give the notice as required to a contract employee under his/her/their first or second contract shall be deemed an extension of the existing contract without change for the following academic year.

The Governing Board shall give written notice of its decision under Education Code Section 87609 and the reasons therefore to the employee on or before March 15 of the last academic year covered by the existing contract. The notice shall be by registered or certified mail to the most recent address on file with the district personnel office. Failure to give the notice as required to a contract employee under his/her/their third consecutive contract shall be deemed a decision to employ him/her/them as a regular employee for all subsequent academic years.

Also see the collective bargaining agreements for applicable employee group(s).