

<b>HEARING OFFICER'S REPORT</b>
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**RULES:**

- 23 NCAC 02C .0210 entitled "Local College Personnel Policies"

ACTION	DATE	STATUS
Initiated by State Board	July 20, 2007	<b>COMPLETED</b>
Deadline for submission to NC Register	August 24, 2007	<b>COMPLETED</b>
Publication in NC Register	September 17, 2007	<b>COMPLETED</b>
Written Comment Period Ends	November 16, 2007	<b>COMPLETED</b>
Rule Presented to State Board for Adoption	March 13, 2008	<b>PENDING</b>
Deadline to Submit to Rules Review Commission	March 20, 2008	
Consideration by the Rules Review Commission	April 18, 2008	
Effective Date of Rule	May 1, 2008	

THE HEARING OFFICER RECOMMENDS ADOPTION OF THE RULES WITH CHANGES AS INDICATED, AND FURTHER WITH INSTRUCTIONS TO THE RULE MAKING COORDINATOR TO MAKE NON-SUBSTANTIVE CHANGES AS NEEDED.

Adopt the proposed text for 23 NCAC 02C .0210 as published in the North Carolina Register, Volume 22, Issue 6, pages 386-387 with changes.

**23 NCAC 02C .0210 LOCAL COLLEGE PERSONNEL POLICIES**

(a) Each local board of trustees shall adopt, publish, and implement personnel policies, consistent with all applicable statutes, rules, and regulations, addressing the following issues:

- (1) Adverse weather;
- (2) Annual leave (vacation);
- (3) Drug and alcohol use;
- (4) Civil leave;
- (5) Communicable disease;
- (6) Compensatory leave;
- (7) Definitions of the employment categories and benefits for each:
  - (A) Full-time permanent,
  - (B) Part-time permanent,
  - (C) Full-time temporary, and
  - (D) Part-time temporary;
- (8) Disciplinary action addressing suspension and dismissal;
- (9) Educational leave (reference 23 NCAC 02D .0103);
- (10) Employee evaluation process;
- (11) Employee grievance procedures;
- (12) Employee personnel file;
- (13) Hiring procedures (describing procedures used for employment of both full- and part-time employees);
- (14) Leave transfer;
- (15) Leave without pay;
- (16) Longevity pay plan (reference 23 NCAC 02D .0109);
- (17) Military leave (reference 23 NCAC 02D .0104);
- (18) Nepotism (reference 23 NCAC 02C .0204);
- (19) Non-reappointment;
- (20) Other employee benefits;
- (21) Political activities of employees (reference 23 NCAC 02C .0208);
- (22) Professional development;
- (23) Reduction in force;
- (24) Salary determination methods for full- and part-time employees that address at least the following:
  - (A) Provisions and criteria for salary determination,
  - (B) Requirements for annual salary review, and

- (C) Establishment of salary formulas, ranges, or schedules;
- (25) Sexual harassment;
  - (26) Tuition exemption (reference 23 NCAC 02D .0202);
  - (27) Sick leave consistent with provisions of the State Retirement system;
  - (28) Secondary Employment that addresses conflict with the employee's primary job responsibilities and institutional resources (the local board of trustees shall approve or disapprove any secondary employment of the president; the president or any member of the college's senior administration designated by the president shall approve or disapprove secondary employment of all full-time employees); and
  - (29) Shared leave consistent with provisions of the Office of State Personnel (reference 25 NCAC 01E .1301 through 25 NCAC 01E .1307).
  - (30) Providing a preference for veterans, as defined in N.C. General Statute §128-15, in hiring decisions.

(b) Each local board of trustees shall submit copies of these policies, including amendments, to the NC Community College System President's office upon adoption.

*History Note: Authority G.S. 115D-5; 115D-20; 115D-25.3;*

*Eff. September 1, 1993;*

*Amended Eff. May 1, 2008; May 1, 2005; January 1, 1996.*