



TEXAS TECH™

Operating Policy and Procedure

OP 32.20: Notice of Non Renewal for Non Tenured Tenure-Track Faculty and Non Tenure-Track Faculty

DATE: June 6, 2018

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to implement §51.943 of the Texas Education Code (as amended or modified), which relates to: (1) annual renewal of employment appointments for full-time, non tenure-track faculty, and (2) written notification of changes in employment for tenured and tenure-track faculty.

REVIEW: This OP will be reviewed every two years after publication by the Vice Provost for Faculty Success with substantive revisions presented to the Provost and Senior Vice President for Academic Affairs.

POLICY/PROCEDURE

1. Definitions

- a. Academic year – begins one week before the first day of the fall semester and concludes the Monday after spring commencement.
- b. Appointment – an agreement between the Texas Tech University System or one of its components and a full-time faculty member establishing the terms of employment for an academic year.
- c. Faculty member – a full-time employee whose primary duties include teaching or research. The term "faculty member" does NOT include:
 - (1) Classified personnel; or
 - (2) Faculty members who spend a majority of their time in managerial or supervisory activities such as a chancellor, vice chancellor, president, vice president, provost/senior vice president for academic affairs, vice or assistant provost, dean, or associate or assistant dean.
- d. Non tenure-track faculty member – a faculty member who holds one of the following job classifications:
 - (1) Instructor
 - (2) Lecturer
 - (3) Assistant professor of practice, associate professor of practice, professor of practice

- (4) Assistant research professor, associate research professor, research professor
- (5) Adjunct assistant professor, adjunct associate professor, adjunct professor
- (6) Visiting assistant professor, visiting associate professor, visiting professor
- e. Tenured or tenure-track faculty member – a faculty member who holds one of the following job classifications:
 - (1) Assistant professor, associate professor, professor
 - (2) Associate librarian, associate librarian, librarian
 - (3) Assistant archivist, associate archivist, archivist

2. Annual Appointment Renewals for Non Tenure-track Faculty Members

- a. Except as provided below, the university must offer a non tenure-track faculty member a written appointment for an academic year not later than thirty days before the first day of the academic year.
- b. If the university is unable to provide a timely offer of employment, it must provide the non tenure-track faculty member written notice:
 - (1) That it is unable to comply with Texas Education Code §51.943;
 - (2) Stating the reasons why it is unable to comply (e.g., unidentified need or funding); and
 - (3) Specifying the time by which it will offer a written appointment.
- c. If the university retains a non tenure-track faculty member without offering her/him a written appointment before the 61st day after the beginning of the academic year, then it must employ her/him under terms and conditions that are at least as favorable as the preceding academic year. The university and the non tenure-track faculty member may subsequently negotiate a different employment agreement.

3. Written Notification of Changes in Employment for Tenured or Tenure-track Faculty Members

- a. The university will NOT provide annual contracts to tenured or tenure-track faculty members.
- b. The university will provide tenured and tenure-track faculty members with any written notification required by the university's tenure policy.

4. Notice of Non-reappointment and Termination

The university is not required to give a non-tenured faculty member a reason for a decision of non-reappointment. Non tenured tenure-track faculty members, regardless of rank, must be notified of non-reappointment as follows:

- a. Full-time faculty members in their first year with the university whose duties commence with the first semester of the academic year must be notified by the following March 1 if they are not to be reappointed.
- b. Full-time faculty members in their first year with the university whose duties commence after November 15 must be notified by the following April 15 if they are not to be reappointed.
- c. Full-time faculty members who are in their second year with the university and who are not to be reappointed shall be notified by December 15 of the academic year in which the appointment is to terminate.
- d. Full-time faculty members with more than two years with the university will be notified of non-reappointment by issuance of a terminal appointment for one academic year.
- e. Full-time faculty members who hold a position by appointment for a fixed period shall receive notice of non-reappointment in accordance with the terms of the appointment or in accordance with sections a, b, c, or d above.
- f. The foregoing timelines do not apply to non tenure-track faculty.